

|                |                  |
|----------------|------------------|
| Morse          | Simpson          |
| Nicholson      | Smith of Hopkins |
| Prescott       | Stocks           |
| Ragsdale       | Tennant          |
| Reed of Dallas | Thornberry       |
| Rutta          | Thornton         |
| Schuenemann    | Vale             |
| Settle         | Waggoner         |
| Sewell         | Winfree          |
| Shell          |                  |

## Nays—43

|                   |                    |
|-------------------|--------------------|
| Amos              | Lankford           |
| Baker             | Lanning            |
| Bates             | Lucas              |
| Beckworth         | Mauritz            |
| Bradbury          | McFarland          |
| Cagle             | Metcalfe           |
| Cleveland         | Moffett            |
| Davis of Jasper   | Morris             |
| Derden            | Patterson of Mills |
| England           | Patterson          |
| Fielden           | of Travis          |
| Hamilton          | Reed of Bowie      |
| Harbin            | Rhodes             |
| Harper            | Roark              |
| Harrell           | Smith              |
| Harris of Archer  | of Matagorda       |
| Hoskins           | Stinson            |
| Jones of Angelina | Tarwater           |
| Jones of Wise     | Walker             |
| Kelt              | Weldon             |
| Kern              | Westbrook          |
| King              | Worley             |
| Langdon           |                    |

## Absent

|                   |                  |
|-------------------|------------------|
| Alexander         | Loggins          |
| Bell              | London           |
| Blankenship       | Mann             |
| Boethel           | McConnell        |
| Bond              | McCracken        |
| Bradford          | McDonald         |
| Broadfoot         | Newton           |
| Brown             | Oliver           |
| Burton            | Palmer           |
| Cathey            | Petsch           |
| Colquitt          | Pope             |
| Davis of Haskell  | Powell           |
| Davison of Fisher | Riddle           |
| Dollins           | Russell          |
| Farmer            | Sharpe           |
| Gibson            | Skaggs           |
| Graves            | Smith of Tarrant |
| Holland           | Stevenson        |
| Hull              | Talbert          |
| Keefe             | Tennyson         |
| Keith             | Wood             |
| Kenyon            |                  |

## Absent—Excused

|        |        |
|--------|--------|
| Dean   | Quinn  |
| Felty  | Reader |
| Heflin | Ross   |

The House, accordingly, at 4:50 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions as follows:

Appropriations, Senate Bill No. 10.  
State Affairs, House Bill No. 23,  
House Concurrent Resolutions Nos. 19 and 20.

Criminal Jurisprudence, Senate Bills Nos. 2 and 3.

## TWELFTH DAY

(Thursday, June 17, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Morse.

The roll of the House was called, and the following Members were present:

|                   |                   |
|-------------------|-------------------|
| Adkins            | Dickison          |
| Alexander         | Farmer            |
| Alsup             | Fielden           |
| Amos              | Fox               |
| Baker             | Fuchs             |
| Bates             | Gibson            |
| Beckworth         | Graves            |
| Bell              | Hamilton          |
| Blankenship       | Hankamer          |
| Boethel           | Hanna             |
| Bond              | Harbin            |
| Boyer             | Hardin            |
| Bradbury          | Harper            |
| Bridgers          | Harrell           |
| Broadfoot         | Harris of Archer  |
| Brown             | Harris of Dallas  |
| Burton            | Harris of Dickens |
| Callan            | Hartzog           |
| Carssow           | Herzik            |
| Cathey            | Holland           |
| Cauthorn          | Howard            |
| Celaya            | Huddleston        |
| Cleveland         | Hull              |
| Colquitt          | Hyder             |
| Davis of Haskell  | Jackson           |
| Davis of Jasper   | James             |
| Davison of Fisher | Johnson of Ellis  |
| Davisson          | Johnson           |
| of Eastland       | of Tarrant        |
| Deglandon         | Jones of Angelina |

|                    |                  |
|--------------------|------------------|
| Jones of Atascosa  | Petsch           |
| Jones of Falls     | Pope             |
| Jones of Wise      | Powell           |
| Keefe              | Prescott         |
| Kelt               | Ragsdale         |
| Kenyon             | Reed of Bowie    |
| Kern               | Reed of Dallas   |
| King               | Riddle           |
| Knetsch            | Roark            |
| Langdon            | Russell          |
| Lankford           | Rutta            |
| Lanning            | Schuenemann      |
| Leath              | Sewell           |
| Leonard            | Settle           |
| Leyendecker        | Shell            |
| Little             | Simpson          |
| Loggins            | Skaggs           |
| London             | Smith of Hopkins |
| Lucas              | Smith            |
| Mann               | of Matagorda     |
| Mauritz            | Smith of Tarrant |
| Mays               | Stevenson        |
| McConnell          | Stinson          |
| McDonald           | Stocks           |
| McFarland          | Talbert          |
| McKinney           | Tarwater         |
| Metcalfe           | Tennant          |
| Moffett            | Tennyson         |
| Monkhouse          | Thornberry       |
| Morris             | Thornton         |
| Morse              | Vale             |
| Newton             | Waggoner         |
| Nicholson          | Walker           |
| Oliver             | Weldon           |
| Patterson of Mills | Westbrook        |
| Patterson          | Wood             |
| of Travis          | Worley           |

## Absent

|          |         |
|----------|---------|
| Bradford | England |
| Dollins  |         |

## Absent—Excused

|           |         |
|-----------|---------|
| Cagle     | McKee   |
| Dean      | Palmer  |
| Derden    | Quinn   |
| Felty     | Reader  |
| Heflin    | Rhodes  |
| Hoskins   | Ross    |
| Keith     | Sharpe  |
| McCracken | Winfree |

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

COMMUNICATION FROM HON.  
R. W. CALVERT

The Chair laid before the House, and had read the following communication:

June 17, 1937.

Mrs. Louise Snow Phinney  
Chief Clerk of House of Representatives  
Austin, Texas

Dear Mrs. Phinney:

In my absence from the session of the House of Representatives on Thursday, June 17, 1937, I hereby designate and appoint Honorable Emmett Morse to call the House to order and to preside during my absence on such date.

Very truly yours,

R. W. CALVERT,  
Speaker.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Winfree for today, on motion of Mr. Walker.

Mr. Ross for yesterday, today, and the balance of the week, on motion of Mr. McConnell.

Mr. Cagle for today, on motion of Mr. Harrell.

Mr. Derden for today, on motion of Mr. Harrell.

Mr. McKee for today, on motion of Mr. Knetsch.

Mr. Keith for today, on motion of Mr. Burton.

Mr. Hoskins for today, on motion of Mr. Morris.

Mr. Felty for today, on account of State business, on motion of Mr. Metcalfe.

Mr. Rhodes for today, on motion of Mr. Hardin.

Mr. Sharpe for today, on motion of Mr. Hardin.

Mr. Palmer for today and the balance of the week, on motion of Mr. Skaggs.

The following Member was granted leave of absence on account of illness:

Mr. Johnson of Tarrant for today, on motion of Mr. Hull.

## HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House,

read first time, and referred to the appropriate committee, as follows:

By Mr. Hull:

H. B. No. 25, A bill to be entitled "An Act fixing the compensation of County Auditors in every county having a population of not less than one hundred and ninety thousand (190,000) nor more than two hundred thousand (200,000) inhabitants according to the last preceding United States Census and prescribing how the same shall be paid; providing that in such counties where there is a City and County Hospital that the County Auditor shall audit the books and records of such hospital and shall make reports to the county and city governments covering the operation of such hospital and fixing the compensation therefor and prescribing how the same shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Cauthorn, Senate Bill No. 10 was ordered not printed.

#### TO PROVIDE FOR THE APPOINTMENT OF A JOINT COMMITTEE TO MAKE CERTAIN INVESTIGATION

Mr. Knetsch offered the following resolution:

H. C. R. No. 11, To provide for the appointment of a joint committee to make certain investigation.

Whereas, The operation, management and support of the State government has grown to tremendous proportions, this being evidenced by the fact that the Departmental Appropriation Bill recently passed by the Regular Session of the Forty-fifth Legislature contained some 45 separate departmental appropriations; and

Whereas, The appropriations for the next biennium covering the Departmental, Judiciary, Eleemosynary, Educational, and Rural Aid appropriations amounted in the aggregate to more than Seventy-one Million (\$71,000,000.00) Dollars; and

Whereas, The costs and expenses of the government of this State has

and is growing by leaps and bounds, the appropriations for the next biennium being Eight to Ten Million Dollars higher than for the biennium closing on August 31, 1937; and

Whereas, The departments of government are rapidly increasing and are growing to such proportions as to cause all thinking persons to view with alarm the magnitude and scope of the cost of our State government; and

Whereas, The State of Texas has no means of meeting the heavy obligations to carry on its Government except by means of taxes; and

Whereas, The magnitude of the operation of our government through its various departments and institutions has grown to such an extent that it vitally affects every citizen of this State, and the costs of operating such government creates a liability upon every kind and character of property located within the confines of this State; and

Whereas, There is no indication of a cessation or letting-up of the increase in costs of government due to the fact that we now have pensions for the aged, pensions for firemen, pensions for school teachers, and have submitted a constitutional amendment, which if adopted, will provide for aid and help to the needy blind and needy crippled children; and

Whereas, It is absolutely the duty of the Legislature of this State to see in the first instance that adequate revenue is raised; that it is dispensed justly, equitably, and that reasonable service is received by the State from its various employees for the money so spent; and

Whereas, Under the Constitution of this State, sessions of the Legislature are limited to one regular session each two years, and such number of special sessions as may be called by the Governor; and

Whereas, There are usually introduced at a regular session of the Legislature approximately 1,000 to 1,200 bills in the House of Representatives, and approximately 500 to 600 bills in the Senate, dealing with practically every conceivable phase of Government and taxation, as well as hundreds of simple, concurrent, and joint resolutions; and

Whereas, It is a physical impossibility for even the most studious and energetic member of the Legislature to read, much less digest, this large

volume of proposed legislation in the limited time afforded; and

Whereas, Because of the conditions as hereinbefore outlined it is absolutely impossible for the Members of the Legislature of this State to give careful and due consideration to proposed legislation, and thus through no fault of the Legislature, but principally due to our system of Government, many laws are passed that probably should not ever have been passed, and many laws that are really needed are passed in form and substance contrary to the best interests of the citizens of this State, because they were not and could not have been properly considered in the first instance by the Legislature; and

Whereas, It is fundamental that the Legislature should be fully informed upon all matters of government coming before it, and especially upon the matters of the various Departments and institutions of every kind, as well as being informed upon the properties in this State subject to taxation and the ability of such properties, or rather the owners thereof, to meet the tax burdens of this government in consonance with the constitutional provision which says that all taxes shall be equal and uniform; and

Whereas, It is believed that the unfortunate conditions existing, as hereinbefore outlined, can be materially changed for the better and much better and more favorable results obtained by the creation of a joint committee from the Senate and the House of Representatives of the State of Texas to exist and operate as a Joint Interim Committee; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a Joint Committee, consisting of five Members of the House of Representatives to be appointed by the Speaker of the House, and five Senators, to be appointed by the President of the Senate, be and is hereby created for the following purposes:

Said Committee, shall after its appointment, meet and select one of its number as Chairman, and such Chairman shall be authorized and empowered to call such meetings as to him may seem necessary and proper to carry out the purposes of this Resolution.

Said Committee shall have the power and authority, and it shall be its duty to make a full investigation

of the various departments and institutions of the government of the State of Texas in order to determine as near as possible the actual need of such departments and institutions in order that same may properly function with the least possible expense to the State, especially having in mind the recommendation of the elimination of any unnecessary departments or institutions and the consolidation of several departments where there is a duplication of functions. In this connection this Committee is authorized and empowered to issue subpoenas calling for the appearance of the heads of departments and institutions before it at any times and places and to compel the attendance of such witnesses, together with such books, records, and other information as the Committee may desire. Failure or refusal on the part of any person to obey such subpoenas so issued by such Committee shall subject such person or persons as for contempt in the Courts of this State.

It shall be the duty of such Committee to make a record of its findings and investigations with reference to the operations of the various State departments and institutions.

It shall be the further duty of this Committee periodically to submit to the other members of the Legislature a brief recapitulation of its findings in such investigations and examinations, as well as the suggestion of such Committee to remedy the situations as disclosed.

It shall also be the duty of this Committee to check into, investigate and examine the taxable properties of this State of every kind and character and after having so investigated such taxable property, to work out and suggest a tax program for the next regular session of the Texas Legislature that will be comprehensive in its scope and just, fair, and equitable in its application so that no class, character or kind of property will be bearing more than its just tax burden but that all property in this State will be taxed fairly, equally and uniformly so as to as nearly as possible equitably distribute the tax burdens of this State.

It shall be the further duty of this Committee to not only make suggestions for legislation to meet the needs of this State not only from the standpoint of raising the needed revenue to properly carry on the business of

the State and to wipe out as far as possible and practicable the deficit of the State, and to make suggestions as to the consolidation of some of our various departments, if such be practical and economical, but also prepare and have ready for consideration by the next regular session of the Texas Legislature such bills as will in the judgment of the members of this Committee effectuate the purposes as suggested by such Committee. In this connection it is understood, however, that it shall also be the duty of such Committee upon the request from any Member of the Legislature, to furnish copy of any or all such proposed bills. Such Committee shall also invite suggestions from any and all members of the Legislature as to suggested and proposed legislation. Such Committee shall also keep available for use by any Member of the Legislature all data accumulated by it pertaining to or affecting any of the matters investigated by it. It is further

Resolved, That all persons attending any meeting or meetings of such Committee after having been subpoenaed so to do, shall be entitled to mileage and per diem the same as is now provided by law for the attendance of witnesses in the trial of civil cases in the Courts of this State.

The committee is authorized to employ a Secretary who shall keep a record of proceedings had by the Committee under the direction of the Chairman, and to keep said records available for inspection and examination at any time by any member or members of the committee, as well as members of the Legislature. The salary of such Secretary shall be the same as paid for like services in the Departmental Appropriation Bill of this State.

Members of the Committee shall be entitled to all reasonable and necessary expenses incurred by them in the performance of their duties under the terms of this Resolution.

In order to defray the expenses authorized under the terms of this Resolution, there is hereby appropriated from the general revenue out of the Contingent Expense Fund of the First Called Session of the Forty-fifth Legislature, the sum of— Dollars, or so much thereof as may be needed.

Such money shall be paid only upon vouchers issued by the Chairman of

said Committee, countersigned by the Secretary thereof, provided further that no voucher shall be issued to any person or persons until such person has filed with the Chairman of said Committee an itemized statement showing in detail the nature of such account and for what purpose incurred; said account to be duly verified by the maker thereof; and provided further that the Secretary of said Committee shall keep a complete and accurate account of all monies expended under the terms of this Resolution, and in no event shall the amount so expended exceed the amount hereinabove appropriated.

KNETSCH,  
BLANKENSHIP,  
McFARLAND,  
WOOD.

The resolution was read second time.

On motion of Mr. Reed of Dallas, the resolution was referred to the Committee on State Affairs.

#### RELATIVE TO THE CONSIDERATION OF RESOLUTIONS

Mr. Metcalfe raised a point of order, on further consideration of resolutions, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Moffett moved that the resolution period be extended for a period of twenty minutes.

The motion prevailed.

#### TO PROVIDE FOR APPOINTMENT OF DELEGATES TO CERTAIN CELEBRATION

Mr. McConnell offered the following resolution:

H. C. R. No. 13, To provide for appointment of delegates to certain celebration.

Whereas, During the year 1938, in the city of Wilmington, State of Delaware, there will be an observance and exposition commemorating the three hundredth anniversary of the landing of Swedish colonists in the good ship Kalmar Nychel and Grippen, for the purpose of establishing a permanent colony; and

Whereas, The State of Delaware, although small in size, has made large contributions to the history of the

United States and is deserving of much praise for the noble part it played, not only during the colonial days of American history, but since the United States became a Republic; and

Whereas, The State of Delaware is composed of an aggressive, industrious and splendid class of citizens, deserving of the praise and esteem of all the citizens of the United States and elsewhere, and is therefore deserving of recognition in the celebration of their three hundredth anniversary; therefore, be it

Resolved, That the House of Representatives, Senate concurring, and Governor approving, Extend their felicitations, best of feeling, praise and admiration to the people of the State of Delaware upon the eve of their celebration, and express to them our great admiration for the noble part they played in American history; be it further

Resolved, That his Excellency, the Honorable James V. Allred, Governor of Texas, delegate and appoint from among the citizenship of the State of Texas, preferably of Swedish descent, who may attend such celebration, such number of delegates and commissioners of good will as he may deem advisable to carry this message to the people of the State of Delaware.

McCONNELL,  
MAURITZ.

The resolution was read second time, and was adopted.

#### TO REQUEST THE GOVERNOR TO SUBMIT CERTAIN SUBJECT

Mr. Moffett offered the following resolution:

H. C. R. No. 22, To request the Governor to submit certain subject.

Whereas, In the closing days of the Regular Session of the Forty-fifth Legislature, House Bill No. 5, being a measure amending the Texas Liquor Control Act, was referred to a conference committee of the House and the Senate; and

Whereas, Owing to the inadequacy of time allowed the committee for the accomplishment of its task, the committee was required to prepare its report in extreme haste; and

Whereas, A number of errors were made in the final draft of the committee report which was subsequently

enacted and signed by Governor James V. Allred on June 8, 1937; and

Whereas, The said House Bill No. 5 as finally enacted contained in a number of its sections cross references to other sections which said cross references are designated by the wrong number; and

Whereas, In other sections there are superfluous words that result in conflict of provisions and penalties applicable to certain offenses; and

Whereas, There are duplicating penalties in Article I and Article II of the Act, carrying a variance in the extent of punishment provided by law, creating ambiguity and doubt as to how the courts may construe the intent of the Legislature; and

Whereas, The conflicts and erroneous references create serious doubt that intended violations of the law would be punishable by a criminal prosecution; and

Whereas, A particular section pertaining to issues that may be submitted in local option elections has been made ambiguous by said errors; and

Whereas, The result of errors may and probably will hinder enforcement of the Texas Liquor Control Act and produce long and costly litigation which was contrary to the intent of the Legislature in amending the said Texas Liquor Control Act; and

Whereas, It is especially important that the Liquor Laws of this State be clear and understandable since they so vitally affect the whole of our social well-being; now, therefore, be it

Resolved, That the House of Representatives, the Senate concurring, hereby and herein petitions the Honorable Governor James V. Allred to submit in this, the First Called Session of the Forty-fifth Legislature, a bill designed and prepared to correct and remove the errors in the said House Bill No. 5 as finally enacted; and, be it further

Resolved, That it is the sense of both Houses of the Legislature that the measure so submitted should be for purposes of correction only, and that no such measure should be submitted or enacted in a form that would go beyond such corrections or contain any provisions differing in any respect or altering the expressed policy and evident intent of the provisions of the said House Bill No. 5, and it is the commitment that pro-

ponents hereof shall consider only such changes as may be necessary to clarify the errors and conflicting provisions and that section of House Bill No. 5 pertaining to issues that may be submitted in a local option election without alteration of policy.

MORSE,  
MOFFETT,  
WORLEY,  
HARRIS of Dallas,  
KEITH.

The resolution was read second time.

(Pending consideration of the resolution, Mr. James occupied the Chair temporarily.)

(Mr. Morse in the Chair.)

Mr. Reed of Dallas moved that the resolution be referred to the Committee on Liquor Traffic.

Mr. Fielden raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. James moved that the resolution period be extended until 11:30 o'clock a. m., today.

The motion prevailed.

Mr. Moffett moved to table the motion to refer the resolution to the Committee on Liquor Traffic.

The motion to table prevailed.

Question then recurring on the resolution by Mr. Moffett, yeas and nays were demanded.

The resolution was adopted by the following vote:

#### Yeas—64

|                   |                   |
|-------------------|-------------------|
| Adkins            | Graves            |
| Alsup             | Hamilton          |
| Baker             | Harrell           |
| Bates             | Harris of Archer  |
| Beckworth         | Harris of Dickens |
| Bradbury          | Herzik            |
| Bridgers          | Howard            |
| Brown             | Huddleston        |
| Cathey            | Hyder             |
| Cauthorn          | James             |
| Celaya            | Jones of Falls    |
| Cleveland         | Kelt              |
| Davison of Fisher | Kern              |
| Davisson          | King              |
| of Eastland       | Lankford          |
| Deglandon         | Lanning           |
| Fox               | Leath             |
| Fuchs             | Leonard           |

Leyendecker  
Little  
Loggins  
Lucas  
Mann  
Mauritz  
McConnell  
McFarland  
Metcalf  
Moffett  
Morris  
Patterson  
of Travis  
Petsch  
Powell  
Prescott

Ragsdale  
Riddle  
Russell  
Rutta  
Sewell  
Simpson  
Smith  
of Matagorda  
Smith of Tarrant  
Stinson  
Stocks  
Tarwater  
Waggoner  
Weldon  
Worley

#### Nays—51

|                   |                    |
|-------------------|--------------------|
| Amos              | Jones of Wise      |
| Bell              | Kenyon             |
| Blankenship       | Knetsch            |
| Boethel           | Langdon            |
| Bond              | Mays               |
| Boyer             | McDonald           |
| Broadfoot         | McKinney           |
| Burton            | Monkhouse          |
| Callan            | Newton             |
| Carssow           | Patterson of Mills |
| Colquitt          | Pope               |
| Davis of Jasper   | Reed of Bowie      |
| Farmer            | Reed of Dallas     |
| Fielden           | Roark              |
| Gibson            | Schuenemann        |
| Hankamer          | Shell              |
| Hanna             | Skaggs             |
| Hardin            | Stevenson          |
| Harper            | Talbert            |
| Hartzog           | Tennant            |
| Holland           | Tennyson           |
| Jackson           | Thornberry         |
| Johnson of Ellis  | Thornton           |
| Johnson           | Walker             |
| of Tarrant        | Westbrook          |
| Jones of Angelina | Wood               |

#### Absent

|                  |                   |
|------------------|-------------------|
| Alexander        | Jones of Atascosa |
| Bradford         | Keefe             |
| Davis of Haskell | London            |
| Dickison         | Morse             |
| Dollins          | Nicholson         |
| England          | Oliver            |
| Harbin           | Settle            |
| Harris of Dallas | Smith of Hopkins  |
| Hull             | Vale              |

#### Absent—Excused

|           |         |
|-----------|---------|
| Cagle     | McKee   |
| Dean      | Palmer  |
| Derden    | Quinn   |
| Felty     | Reader  |
| Heflin    | Rhodes  |
| Hoskins   | Ross    |
| Keith     | Sharpe  |
| McCracken | Winfree |

# TO AUTHORIZE THE PRINTING OF CERTAIN INSURANCE LAWS

Mr. Thornton offered the following resolution:

H. C. R. No. 17, To authorize the expenditure of \$3,000 out of special funds for the purpose of having the Insurance Laws of the State of Texas printed and bound.

Whereas, There has been no appropriation for the printing of the Insurance Laws since 1931, and the supply printed by the last appropriation has long since been exhausted, and the Department and employees thereof are without sufficient copies of the laws for their use in the performance of their duties, and the Department is being deluged with request by the companies and other persons engaged in the insurance business in the State of Texas for copies of said laws, and a large number of Acts have been passed since the last insurance laws were printed and an urgent necessity exists for having the same printed; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Board of Insurance Commissioners is hereby authorized to expend the sum of Three Thousand and No/100 (\$3,000.00) Dollars, or so much thereof as may be necessary, for the purpose of defraying the expense of printing, binding and publishing an adequate number of volumes of the Insurance Laws of the State of Texas, said sum to be expended from the following funds, to-wit: \$1,000.00 of said amount may be expended from the Examination Fund of the Life Insurance Division, \$1,000.00 from the Compensation Fund of the Compensation Division and \$1,000.00 from the Fire Insurance Fund of the Fire Insurance Division of the Insurance Department of the State of Texas.

The resolution was read second time.

Mr. Davison of Fisher raised a point of order, on consideration of the resolution, on the ground that the resolution violates Section 7 of Article VIII of the constitution and also seeks to make an appropriation.

The Chair overruled the point of order.

Mr. Morris and Mr. Fielden raised a point of order, on consideration of

the resolution, on the ground that the resolution does not come within the Governor's call.

The Chair overruled the point of order.

Question then recurring on the resolution by Mr. Thornton, it was adopted.

Mr. Thornton moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

## RELATIVE TO STAMP ACCOUNT

Mr. Alsup offered the following resolution:

Whereas, The stamp supply of the House of Representatives is depleted and the Members are desirous of securing a sufficient amount of stamps in order that they may properly carry on their correspondence; now, therefore, be it

Resolved by the House of Representatives, That the Chairman of the Committee on Contingent Expenses be instructed to issue a warrant or warrants to some reputable Warrant Company for the purpose of securing the necessary amount for the purchase of stamps for the use of the First Called Session of the Forty-fifth Legislature.

The resolution was read second time, and was adopted.

## MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN SUBJECT

Mr. Metcalfe offered the following resolution:

H. C. R. No. 23, Memorializing Congress in regard to passage of certain subject.

Whereas, There is now pending in the Committee on Military Affairs of the House of Representatives of the United States, Senate 602, which is an Act for the relief of several citizens of Texas, who are now officers in the Army of the United States, and which Act has already passed the Senate of the United States; and

Whereas, The purpose of this Act is to correct an injustice that has been inadvertently done to these Texas citizens in that when they were commissioned officers in the Army of the United States, through error



they were commissioned as of October 25, 1917, but should have been commissioned as of August 15, 1917, which Act placed them some two thousand (2,000) files lower on the list of officers than they should have been placed; and

Whereas, Senate 602 seeks to place these officers in their proper position on the Army promotion list and cure an injustice which has been done to these citizens of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we respectfully urge the Congress of the United States to pass Senate 602 and thereby place these Texas citizens in their proper places on the Army promotion list; and, be it further

Resolved, That a copy of this resolution be sent to the Chairman of the Committee on Military Affairs of the House of Representatives in the Congress of the United States, and a copy be sent to the Secretary of War.

METCALFE,  
JONES of Atascosa,  
HOSKINS,  
LEONARD,  
McKINNEY,  
HERZIK.

The resolution was read second time, and was adopted.

#### TO AUTHORIZE THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

Mr. King offered the following resolution:

H. C. R. No. 24, Authorizing the loan of certain highway equipment.

Whereas, The State Highway Department possesses certain machinery and equipment needful and necessary in the process of construction and maintaining roads; and

Whereas, The Citizens of Parker County have several road projects under construction which need immediate attention; and

Whereas, There are certain school bus roads which are in fairly good condition in dry weather, but are sometimes entirely impassable after heavy rains; and

Whereas, The immediate completion of these road projects, and the general improvement of the school bus roads is important to the general welfare of all Parker County citizens; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the Texas Highway Department be, and the same is hereby authorized and requested to lend such equipment as is now or hereafter available to Parker County for the purpose of completing certain road projects and repairing certain school bus roads or for any other purpose which the authorities of Parker County and the authorities of the State Highway Department may deem advisable, it being understood that such equipment shall remain in the custody of the Commissioners' Court of Parker County as long as needed, and so long as no burden of any kind is placed on the State Highway Department by reason of such loan.

The resolution was read second time, and was adopted.

#### TO EXTEND CONGRATULATIONS OF THE HOUSE TO THE COUNTY OF HOPKINS

Mr. Kern offered the following resolution:

Whereas, It has been common knowledge for a period of years that Hopkins County is the driest county in Texas, that being evidenced by the vote that was taken in the election in which Texas as a whole voted wet; and

Whereas, On May 29, 1937 Hopkins County voted by a vote of nearly seven to one against legalized beer; now, therefore, be it

Resolved by the House of Representatives, That it congratulate the distinguished County of Hopkins for living up to its old tradition by continually voting itself dry by an overwhelming majority; and, be it further

Resolved, That the Chief Clerk of the House be directed to mail copies of this resolution to the local newspapers of said County.

The resolution was read second time.

Mr. Fielden raised a point of order, on consideration of the resolution, at this time, on the ground that the time for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. McKinney moved that the resolution period be extended until 12:00 o'clock m., today.

The motion was lost.

# RELATIVE TO HOUSE BILL NO. 17

Mr. Broadfoot moved that all necessary Rules be suspended to take up House Bill No. 17.

Mr. Petsch raised a point of order, on consideration of the motion by Mr. Broadfoot, on the ground that the motion is in violation of the Joint Rules.

The Chair overruled the point of order.

The motion was lost by the following vote:

## Yeas—47

|                   |                  |
|-------------------|------------------|
| Adkins            | Kenyon           |
| Baker             | Kern             |
| Bates             | King             |
| Boethel           | Leath            |
| Boyer             | Little           |
| Bradbury          | Lucas            |
| Broadfoot         | Mauritz          |
| Brown             | McConnell        |
| Davis of Jasper   | Morris           |
| Davison of Fisher | Powell           |
| Davison           | Prescott         |
| of Eastland       | Roark            |
| Fox               | Russell          |
| Hardin            | Rutta            |
| Harper            | Skaggs           |
| Harrell           | Smith of Hopkins |
| Holland           | Smith of Tarrant |
| Huddleston        | Stocks           |
| James             | Talbert          |
| Jones of Atascosa | Tarwater         |
| Jones of Falls    | Waggoner         |
| Jones of Wise     | Westbrook        |
| Keefe             | Wood             |
| Kelt              | Worley           |

## Nays—63

|             |                   |
|-------------|-------------------|
| Alexander   | Hankamer          |
| Amos        | Hanna             |
| Beckworth   | Harris of Archer  |
| Bell        | Harris of Dallas  |
| Blankenship | Harris of Dickens |
| Bridgers    | Hartzog           |
| Burton      | Howard            |
| Callan      | Hyder             |
| Cathey      | Jackson           |
| Cauthorn    | Johnson of Ellis  |
| Celaya      | Jones of Angelina |
| Cleveland   | Knetsch           |
| Colquitt    | Lankford          |
| Deglandon   | Lanning           |
| Dickison    | Leonard           |
| Farmer      | Leyendecker       |
| Fielden     | Loggins           |
| Fuchs       | London            |
| Gibson      | Mann              |
| Graves      | Mays              |
| Hamilton    | McDonald          |

|                    |              |
|--------------------|--------------|
| McFarland          | Sewell       |
| McKinney           | Simpson      |
| Moffett            | Smith        |
| Monkhouse          | of Matagorda |
| Patterson of Mills | Stevenson    |
| Patterson          | Stinson      |
| of Travis          | Tennant      |
| Petsch             | Tennyson     |
| Pope               | Thornberry   |
| Reed of Bowie      | Thornton     |
| Reed of Dallas     | Vale         |
| Schuenemann        |              |

## Present—Not Voting

Herzik

## Absent

|                  |           |
|------------------|-----------|
| Alsup            | Metcalfe  |
| Bond             | Morse     |
| Bradford         | Newton    |
| Carssow          | Nicholson |
| Davis of Haskell | Oliver    |
| Dollins          | Ragsdale  |
| England          | Riddle    |
| Harbin           | Settle    |
| Hull             | Shell     |
| Johnson          | Walker    |
| of Tarrant       | Weldon    |
| Langdon          |           |

## Absent—Excused

|           |         |
|-----------|---------|
| Cagle     | McKee   |
| Dean      | Palmer  |
| Derden    | Quinn   |
| Felty     | Reader  |
| Heflin    | Rhodes  |
| Hoskins   | Ross    |
| Keith     | Sharpe  |
| McCracken | Winfree |

## MOTION TO CONSIDER CERTAIN RESOLUTION

Mr. Kenyon moved that the Rule, relative to the time allotted for the consideration of resolutions, be suspended to consider, at this time, House Simple Resolution No. 21.

The motion was lost by the following vote:

## Yeas—50

|           |                  |
|-----------|------------------|
| Alexander | Hankamer         |
| Alsup     | Hanna            |
| Baker     | Hardin           |
| Bell      | Harris of Dallas |
| Broadfoot | Hartzog          |
| Callan    | Howard           |
| Cathey    | Hyder            |
| Celaya    | Jackson          |
| Colquitt  | James            |
| Dickison  | Johnson of Ellis |
| Farmer    | Kenyon           |
| Fuchs     | Knetsch          |
| Gibson    | Leath            |

|                |                  |
|----------------|------------------|
| Leonard        | Sewell           |
| Leyendecker    | Shell            |
| Loggins        | Simpson          |
| Lucas          | Skaggs           |
| Mann           | Smith of Tarrant |
| Mays           | Stevenson        |
| McDonald       | Stocks           |
| Monkhouse      | Tennant          |
| Pope           | Thornton         |
| Reed of Dallas | Vale             |
| Schuenemann    | Waggoner         |
| Settle         | Worley           |

## Nays—64

|                   |                    |
|-------------------|--------------------|
| Adkins            | Kelt               |
| Amos              | Kern               |
| Bates             | King               |
| Beckworth         | Lankford           |
| Blankenship       | Lanning            |
| Boethel           | London             |
| Bradbury          | Mauritz            |
| Bridgers          | McConnell          |
| Brown             | McFarland          |
| Burton            | Moffett            |
| Cauthorn          | Morris             |
| Cleveland         | Patterson of Mills |
| Davis of Jasper   | Patterson          |
| Davison of Fisher | of Travis          |
| Davisson          | Petsch             |
| of Eastland       | Powell             |
| Deglandon         | Prescott           |
| Fielden           | Ragsdale           |
| Fox               | Reed of Bowie      |
| Graves            | Riddle             |
| Hamilton          | Roark              |
| Harbin            | Russell            |
| Harper            | Rutta              |
| Harrell           | Smith of Hopkins   |
| Harris of Archer  | Smith              |
| Harris of Dickens | of Matagorda       |
| Herzik            | Stinson            |
| Holland           | Talbert            |
| Huddleston        | Tennyson           |
| Jones of Angelina | Thornberry         |
| Jones of Atascosa | Weldon             |
| Jones of Falls    | Westbrook          |
| Jones of Wise     | Wood               |
| Keefe             |                    |

## Absent

|                  |           |
|------------------|-----------|
| Bond             | Langdon   |
| Boyer            | Little    |
| Bradford         | McKinney  |
| Carssow          | Metcalfe  |
| Davis of Haskell | Morse     |
| Dollins          | Newton    |
| England          | Nicholson |
| Hull             | Oliver    |
| Johnson          | Tarwater  |
| of Tarrant       | Walker    |

## Absent—Excused

|       |        |
|-------|--------|
| Cagle | Derden |
| Dean  | Felty  |

|           |         |
|-----------|---------|
| Heflin    | Quinn   |
| Hoskins   | Reader  |
| Keith     | Rhodes  |
| McCracken | Ross    |
| McKee     | Sharpe  |
| Palmer    | Winfree |

## TO AUTHORIZE THE ACCEPTANCE OF MONEY FROM THE FEDERAL GOVERNMENT

The Chair laid before the House for consideration, at this time, the following resolution:

S. C. R. No. 2, To authorize the acceptance of money from the Federal Government.

Whereas, Under "Act of May 23, 1908 (Stat. 260); Sec. 500, Title 16, U. S. C." quoted below:

"That hereafter twenty-five per centum of all money received from each forest reserve during any fiscal year, including the year ending June thirtieth, nineteen hundred and eight, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated to be expended as the State or territorial Legislature may prescribe for the benefits of the public schools and public roads of the county or counties in which the forest reserve is situated: Provided, That when any forest reserve is in more than one State or Territory or county, the distributive share of each from the proceeds of said reserve shall be proportional to its area therein."

The State Treasury Department has received a draft for \$362.07; and

Whereas, The State Treasurer is unauthorized to receive and prorate funds received from the sources named above; and

Whereas, A number of East Texas Counties namely, Angelina, Jasper, San Augustine, Houston, Trinity, Shelby, Montgomery, San Jacinto, and Walker, are entitled to a pro-rata part of this money; now, therefore, be it

Resolved by the Senate of the State of Texas, and the House of Representatives concurring, That the State Treasurer is hereby authorized to accept and apportion the money received from the above named source and any that may hereafter be received from the same or similar units designated under the above quoted Federal Act, and make proper disposition of the funds so received to the counties entitled to participate in same.

The resolution was read second time, and was adopted.

# RELATIVE TO SHOWING OF CERTAIN FILM

Mr. Worley moved to suspend the Rule, relative to the time allotted for the consideration of resolutions, for the purpose of considering certain resolution.

The motion prevailed by the following vote:

Yeas—111

|                   |                   |
|-------------------|-------------------|
| Adkins            | Jackson           |
| Alexander         | James             |
| Alsup             | Johnson of Ellis  |
| Amos              | Johnson           |
| Baker             | of Tarrant        |
| Bates             | Jones of Angelina |
| Beckworth         | Jones of Atascosa |
| Bell              | Jones of Falls    |
| Blankenship       | Jones of Wise     |
| Boethel           | Keefe             |
| Boyer             | Kelt              |
| Bradbury          | Kern              |
| Bridgers          | King              |
| Broadfoot         | Knetsch           |
| Brown             | Langdon           |
| Burton            | Lankford          |
| Callan            | Leath             |
| Cathey            | Leonard           |
| Cauthorn          | Leyendecker       |
| Celaya            | Little            |
| Cleveland         | Loggins           |
| Colquitt          | London            |
| Davis of Jasper   | Lucas             |
| Davisson          | Mann              |
| of Eastland       | Mauritz           |
| Deglandon         | McConnell         |
| Dickson           | McDonald          |
| Farmer            | McFarland         |
| Fielden           | Metcalfe          |
| Fox               | Moffett           |
| Fuchs             | Monkhouse         |
| Gibson            | Morris            |
| Graves            | Patterson         |
| Hamilton          | of Travis         |
| Hankamer          | Petsch            |
| Hanna             | Pope              |
| Harbin            | Powell            |
| Hardin            | Prescott          |
| Harper            | Reed of Bowie     |
| Harrell           | Reed of Dallas    |
| Harris of Archer  | Riddle            |
| Harris of Dallas  | Roark             |
| Harris of Dickens | Russell           |
| Hartzog           | Rutta             |
| Herzik            | Schuenemann       |
| Holland           | Settle            |
| Howard            | Sewell            |
| Huddleston        | Shell             |
| Hull              | Simpson           |
| Hyder             | Skaggs            |

|                  |            |
|------------------|------------|
| Smith of Hopkins | Thornberry |
| Smith            | Thornton   |
| of Matagorda     | Vale       |
| Stinson          | Waggoner   |
| Stocks           | Weldon     |
| Talbert          | Wood       |
| Tennant          | Worley     |
| Tennyson         |            |

# Absent

|                   |                    |
|-------------------|--------------------|
| Bond              | Morse              |
| Bradford          | Newton             |
| Carssow           | Nicholson          |
| Davis of Haskell  | Oliver             |
| Davison of Fisher | Patterson of Mills |
| Dollins           | Ragsdale           |
| England           | Smith of Tarrant   |
| Kenyon            | Stevenson          |
| Lanning           | Tarwater           |
| Mays              | Walker             |
| McKinney          | Westbrook          |

# Absent—Excused

|           |         |
|-----------|---------|
| Cagle     | McKee   |
| Dean      | Palmer  |
| Derden    | Quinn   |
| Felty     | Reader  |
| Heflin    | Rhodes  |
| Hoskins   | Ross    |
| Keith     | Sharpe  |
| McCracken | Winfree |

Mr. Worley then offered the following resolution:

Whereas, The current issue of the newsreel styled "The March of Time" contains what purports to be a true portrayal of the Panhandle section of the so-called Dust Bowl; and

Whereas, The sequences portrayed therein are not accurate, being based largely upon pictures secured in isolated spots of the so-called Dust Bowl section rather than in the green and verdant fields of the Panhandle; and

Whereas, The wide circulation and exhibition of such pictures can do no possible good except to create in the minds of those who are not familiar with the State of Texas a warped and prejudiced opinion of the true conditions in this State; and

Whereas, Such misinformation will undoubtedly cause tourists and others to abandon or postpone visits to the many important and interesting points in the State of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the management of the newsreel be requested to either withdraw this libellous cinema from circulation or to make a new film showing the

actual conditions which do exist in this section of the State and carry such pictures in conjunction with the current issue so that the people may know of the true circumstances existing in this State; and, be it further Resolved, That a copy of this resolution be forwarded to the responsible officials associated with such news-reel.

The resolution was read second time.

Mr. Harris of Dallas moved to refer the resolution to the Committee on Military Affairs.

Mr. Worley moved to table the motion by Mr. Harris of Dallas.

The motion to table prevailed.

Question then recurring on the resolution by Mr. Worley, it was adopted.

#### TO GRANT THE USE OF THE HALL OF THE HOUSE

Mr. Jones of Wise offered the following resolution:

Whereas, There is in the City of Austin one of the State's outstanding colored choirs, that of the greater Mount Zion Church of Austin; and

Whereas, This fine choir has requested to sing in the Hall of the House of Representatives tonight; now, therefore, be it

Resolved by the House of Representatives, That the use of the Hall of the House be granted to the aforementioned choir for Thursday evening.

JONES of Wise,  
THORNBERRY.

The resolution was read second time, and was adopted.

#### RECESS

Mr. Prescott moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Johnson of Ellis moved that the House recess until 2:30 o'clock p. m., today.

Mr. Broadfoot moved that the House recess until 2:00 o'clock p. m., today.

Question first recurring on the motion to adjourn, it was lost.

Question then recurring on the motion to recess until 2:00 o'clock p. m., today, it was lost.

Question then recurring on the motion to recess until 2:30 o'clock p. m., today, it prevailed, and the House, accordingly, at 12:05 o'clock p. m., took recess until 2:30 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by Mr. Morse.

#### LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Bond was granted leave of absence for the balance of the day and tomorrow, on account of important business, on motion of Mr. Harris of Archer.

Mr. Oliver was granted leave of absence for the balance of the day, on account of important business, on motion of Mr. Westbrook.

Mr. Fielden was granted leave of absence temporarily for this afternoon, on account of illness in his family, on motion of Mr. Fox.

Mr. Davis of Haskell was granted leave of absence for today, on account of illness, on motion of Mr. Stocks.

Mr. Palmer was granted leave of absence for today and the balance of the week, on account of a death in his family, on motion of Mr. Hardin.

#### SENATE BILL NO. 3 ON SECOND READING

Mr. Davison of Fisher moved that all necessary Rules be suspended for the purpose of taking up, for consideration, Senate Bill No. 3.

Mr. Russell raised the point of order that the motion by Mr. Davison of Fisher is out of order, on the ground that Senate Bill No. 3 is still pending business in the House, inasmuch as same was heretofore referred to a committee in the Senate and considered by a Senate committee, and that it is not necessary for the bill to be considered by a House committee.

The Chair stated that he would temporarily overrule the point of order.

Question then recurring on the motion by Mr. Davison of Fisher, it prevailed by the following vote:

Yeas—84

|           |           |
|-----------|-----------|
| Adkins    | Bell      |
| Alexander | Boethel   |
| Alsup     | Bond      |
| Amos      | Bradbury  |
| Baker     | Broadfoot |
| Bates     | Brown     |
| Beckworth | Burton    |

|                   |                  |
|-------------------|------------------|
| Callan            | Leyendecker      |
| Cathey            | London           |
| Cauthorn          | Lucas            |
| Cleveland         | Mauritz          |
| Colquitt          | McConnell        |
| Davis of Jasper   | McDonald         |
| Davison of Fisher | McFarland        |
| Deglandon         | Metcalfe         |
| Derden            | Moffett          |
| England           | Morris           |
| Fielden           | Newton           |
| Fox               | Patterson        |
| Fuchs             | of Travis        |
| Gibson            | Petsch           |
| Graves            | Powell           |
| Hamilton          | Reed of Bowie    |
| Harbin            | Rhodes           |
| Harper            | Roark            |
| Harrell           | Russell          |
| Harris of Archer  | Rutta            |
| Harris of Dickens | Sewell           |
| Herzik            | Smith of Hopkins |
| Holland           | Smith            |
| Huddleston        | of Matagorda     |
| Johnson of Ellis  | Stinson          |
| Jones of Angelina | Stocks           |
| Jones of Falls    | Talbert          |
| Jones of Wise     | Tarwater         |
| Keefe             | Tennant          |
| Kelt              | Tennyson         |
| Kern              | Thornberry       |
| King              | Walker           |
| Knetsch           | Weldon           |
| Langdon           | Westbrook        |
| Lanning           | Wood             |
| Leonard           | Worley           |

## Nays—29

|                  |                |
|------------------|----------------|
| Boyer            | Little         |
| Celaya           | Loggins        |
| Dickison         | Mays           |
| Hankamer         | Monkhouse      |
| Hanna            | Pope           |
| Hardin           | Prescott       |
| Harris of Dallas | Reed of Dallas |
| Hartzog          | Schuenemann    |
| Hull             | Settle         |
| Hyder            | Shell          |
| Jackson          | Simpson        |
| James            | Skaggs         |
| Johnson          | Stevenson      |
| of Tarrant       | Thornton       |
| Kenyon           | Vale           |

## Absent

|             |                    |
|-------------|--------------------|
| Blankenship | Jones of Atascosa  |
| Bradford    | Lankford           |
| Bridgers    | Leath              |
| Carssow     | Mann               |
| Davisson    | McKinney           |
| of Eastland | Morse              |
| Dollins     | Nicholson          |
| Farmer      | Patterson of Mills |
| Howard      | Ragsdale           |

|                  |          |
|------------------|----------|
| Riddle           | Waggoner |
| Smith of Tarrant |          |

## Absent—Excused

|                  |         |
|------------------|---------|
| Cagle            | McKee   |
| Davis of Haskell | Oliver  |
| Dean             | Palmer  |
| Felty            | Quinn   |
| Heflin           | Reader  |
| Hoskins          | Ross    |
| Keith            | Sharpe  |
| McCracken        | Winfree |

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 3, A bill to be entitled "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Gibson offered the following amendment to the bill:

Amend Senate Bill No. 3, by adding a new section after Section 2 to be known as Section 3, reading as follows:

"Section 3. If any person shall keep, or be in any manner interested in keeping any premises, for the purpose of dog racing, upon which any money or anything of value is being bet on said premises, he shall, upon conviction be confined in the State penitentiary not less than one nor more than five years, or by confinement in the county jail not less than ten days nor more than one year and by fine not less than One Hundred Dollars nor more than One Thousand Dollars", and by renumbering the following Section to conform to said change.

GIBSON,  
PETSCH.

Mr. Mays raised a point of order, on consideration of the amendment, on the ground that the amendment is not germane to the caption of the bill.

The Chair overruled the point of order.

Mr. Mays raised a point of order, on consideration of the amendment, on the ground that the amendment is in violation of Section 30 of the Constitution in that it changes the original purpose of the bill.

The Chair sustained the point of order.

(Mr. Alexander occupied the Chair temporarily.)

(Mr. Morse in the Chair.)

Mr. Morris moved the previous question on the passage of Senate Bill No. 3 to third reading, and the motion was duly seconded.

Mr. Mays raised a point of order, on consideration of the motion by Mr. Morris, at this time, on the ground that the bill has not been given a full and free discussion in accordance with the constitutional provision.

The Chair sustained the point of order.

Mr. Harris of Dallas offered the following amendment to the bill:

Amend Senate Bill No. 3, Sec. 3, by striking out the words "its passage" and insert in lieu thereof the following: "Sept. 24, 1937".

Mr. Metcalfe moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—78

|                   |                   |
|-------------------|-------------------|
| Adkins            | Harris of Dickens |
| Alexander         | Herzik            |
| Alsup             | Holland           |
| Amos              | Hyder             |
| Baker             | Johnson of Ellis  |
| Bates             | Jones of Angelina |
| Beckworth         | Jones of Falls    |
| Boethel           | Jones of Wise     |
| Bond              | Kelt              |
| Bradbury          | Kern              |
| Brown             | King              |
| Burton            | Langdon           |
| Callan            | Lankford          |
| Cauthorn          | Lanning           |
| Cleveland         | Leath             |
| Davis of Jasper   | Leyendecker       |
| Davison of Fisher | London            |
| Davisson          | Lucas             |
| of Eastland       | Mauritz           |
| Deglandon         | McConnell         |
| Derden            | McDonald          |
| Fielden           | McFarland         |
| Fox               | Metcalfe          |
| Fuchs             | Moffett           |
| Graves            | Morris            |
| Hamilton          | Patterson         |
| Harbin            | of Travis         |
| Hardin            | Petsch            |
| Harper            | Powell            |
| Harrell           | Prescott          |
| Harris of Archer  | Ragsdale          |

Reed of Bowie  
Rhodes  
Roark  
Russell  
Settle  
Sewell  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda

Smith of Tarrant  
Stocks  
Talbert  
Tarwater  
Thornberry  
Weldon  
Westbrook  
Wood  
Worley

#### Nays—39

|                  |                |
|------------------|----------------|
| Bell             | Knetsch        |
| Blankenship      | Leonard        |
| Boyer            | Little         |
| Bridgers         | Loggins        |
| Broadfoot        | Mays           |
| Carssow          | Monkhouse      |
| Celaya           | Newton         |
| Colquitt         | Pope           |
| Dickison         | Reed of Dallas |
| England          | Riddle         |
| Gibson           | Rutta          |
| Hankamer         | Schuenemann    |
| Hanna            | Shell          |
| Harris of Dallas | Simpson        |
| Hull             | Stevenson      |
| Jackson          | Stinson        |
| James            | Tennant        |
| Johnson          | Thornton       |
| of Tarrant       | Vale           |
| Kenyon           | Waggoner       |

#### Absent

|                   |                    |
|-------------------|--------------------|
| Bradford          | Keefe              |
| Cathey            | Mann               |
| Dollins           | McKinney           |
| Farmer            | Morse              |
| Hartzog           | Nicholson          |
| Howard            | Patterson of Mills |
| Huddleston        | Tennyson           |
| Jones of Atascosa | Walker             |

#### Absent—Excused

|                  |         |
|------------------|---------|
| Cagle            | McKee   |
| Davis of Haskell | Oliver  |
| Dean             | Palmer  |
| Felty            | Quinn   |
| Heflin           | Reader  |
| Hoskins          | Ross    |
| Keith            | Sharpe  |
| McCracken        | Winfree |

Mr. Gibson offered the following amendment to the bill:

Amend Senate Bill No. 3, by striking out all of Section 2 and inserting in lieu thereof the following:

"Section 2. Whoever violates any provision of Section 1 of this Act shall, upon conviction, be punished by a fine not exceeding Fifty Dollars, or by imprisonment in the county jail

not less than ten nor more than thirty days, or by both such fine and imprisonment."

GIBSON,  
PETSCH.

Mr. Metcalfe moved the previous question on the amendment and passage of Senate Bill No. 3 to third reading, and the motion was duly seconded.

Mr. Mays raised a point of order, on consideration of the motion by Mr. Metcalfe, at this time, on the ground that the bill has not been given a free and full discussion in accordance with the constitutional provision.

The Chair overruled the point of order.

Question recurring on the motion for the main question, it prevailed.

The amendment by Mr. Gibson was then adopted.

Senate Bill No. 3 was then passed to third reading.

Mr. Petsch moved to reconsider the vote by which the bill was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 3 ON THIRD READING

Mr. Davison of Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

|             |                   |
|-------------|-------------------|
| Adkins      | Celaya            |
| Alexander   | Cleveland         |
| Alsup       | Davis of Jasper   |
| Amos        | Davison of Fisher |
| Baker       | Davison           |
| Bates       | of Eastland       |
| Beckworth   | Deglandon         |
| Bell        | Derden            |
| Blankenship | Dickison          |
| Boethel     | England           |
| Boyer       | Farmer            |
| Bradbury    | Fielden           |
| Bridgers    | Fox               |
| Broadfoot   | Fuchs             |
| Brown       | Graves            |
| Burton      | Hamilton          |
| Callan      | Hanna             |
| Cathey      | Harbin            |
| Cauthorn    | Hardin            |

|                   |                  |
|-------------------|------------------|
| Harper            | Newton           |
| Harrell           | Patterson        |
| Harris of Archer  | of Travis        |
| Harris of Dallas  | Petsch           |
| Harris of Dickens | Pope             |
| Herzik            | Powell           |
| Holland           | Prescott         |
| Huddleston        | Ragsdale         |
| Hull              | Reed of Bowie    |
| Hyder             | Reed of Dallas   |
| James             | Rhodes           |
| Johnson of Ellis  | Riddle           |
| Johnson           | Roark            |
| of Tarrant        | Russell          |
| Jones of Angelina | Rutta            |
| Jones of Falls    | Settle           |
| Jones of Wise     | Sewell           |
| Keefe             | Simpson          |
| Kelt              | Skaggs           |
| Kern              | Smith of Hopkins |
| King              | Smith            |
| Knetsch           | of Matagorda     |
| Langdon           | Stevenson        |
| Lankford          | Stinson          |
| Lanning           | Stocks           |
| Leath             | Talbert          |
| Leonard           | Tarwater         |
| Leyendecker       | Tennant          |
| Little            | Tennyson         |
| London            | Thornberry       |
| Lucas             | Thornton         |
| Mauritz           | Vale             |
| McConnell         | Waggoner         |
| McDonald          | Walker           |
| McFarland         | Weldon           |
| Metcalfe          | Westbrook        |
| Moffett           | Wood             |
| Monkhouse         | Worley           |
| Morris            |                  |

Nays—8

|          |          |
|----------|----------|
| Colquitt | Kenyon   |
| Hankamer | Loggins  |
| Howard   | Mays     |
| Jackson  | McKinney |

Absent

|                   |                    |
|-------------------|--------------------|
| Bradford          | Morse              |
| Carssow           | Nicholson          |
| Dollins           | Patterson of Mills |
| Gibson            | Schuenemann        |
| Hartzog           | Shell              |
| Jones of Atascosa | Smith of Tarrant   |
| Mann              |                    |

Absent—Excused

|                  |         |
|------------------|---------|
| Bond             | McKee   |
| Cagle            | Oliver  |
| Davis of Haskell | Palmer  |
| Dean             | Quinn   |
| Felty            | Reader  |
| Heflin           | Ross    |
| Hoskins          | Sharpe  |
| Keith            | Winfrey |
| McCracken        |         |



The Chair then laid Senate bill No. 3 before the House on third reading and final passage.

The bill was read third time.

Mr. Mays raised a point of order, on the suspension of the constitutional rule to place Senate Bill No. 3 on third reading, on the ground that no emergency exists.

The Chair overruled the point of order.

Mr. Amos offered the following amendment to the bill:

Amend Senate Bill No. 3, by adding the following new sections:

"Section 1-A. It shall be the duty of all peace officers to arrest without warrant any and all persons violating any provision of this Act, whenever such violation shall be within the view or knowledge of such peace officer or when he shall receive information thereof from some reliable person.

"Section 1-B. At the suit of the Governor or Attorney General, or of any County or District Attorney, or of any five citizens with the consent of the Governor or the Attorney General or any County or District Attorney, the Supreme Court or any Court of Civil Appeals of this State shall have the power, or authority, or jurisdiction to issue the writ of mandamus against any peace officer or magistrate (except magistrates of Appellate Courts), as defined by the laws of this State, or against any County or District Attorney, to compel the performance of any act or duty pertaining to offenses under this Act which such peace officer, magistrate or County or District Attorney is required by law to perform."

Mr. Fielden moved the previous question on the amendment, and the passage of Senate Bill No. 3, and the main question was ordered.

Mr. Hankamer raised a point of order, on consideration of the amendment by Mr. Amos, on the ground that the amendment is not germane to the bill.

The Chair sustained the point of order.

Senate Bill No. 3 was then passed by the following vote:

Yeas—117

|           |       |
|-----------|-------|
| Adkins    | Amos  |
| Alexander | Baker |
| Alsup     | Bates |

|                   |                  |
|-------------------|------------------|
| Beckworth         | King             |
| Bell              | Knetsch          |
| Blankenship       | Langdon          |
| Boethel           | Lankford         |
| Boyer             | Lanning          |
| Bradbury          | Leath            |
| Bridgers          | Leonard          |
| Broadfoot         | Leyendecker      |
| Brown             | Little           |
| Burton            | London           |
| Callan            | Lucas            |
| Carssow           | Mays             |
| Cathey            | McConnell        |
| Cauthorn          | McDonald         |
| Celaya            | McFarland        |
| Cleveland         | Metcalf          |
| Colquitt          | Moffett          |
| Davis of Jasper   | Monkhouse        |
| Davison of Fisher | Morris           |
| Davisson          | Patterson        |
| of Eastland       | of Travis        |
| Deglandon         | Petsch           |
| Derden            | Pope             |
| Dickison          | Powell           |
| England           | Prescott         |
| Farmer            | Reed of Bowie    |
| Fielden           | Reed of Dallas   |
| Fox               | Rhodes           |
| Fuchs             | Roark            |
| Gibson            | Russell          |
| Graves            | Rutta            |
| Hamilton          | Schuenemann      |
| Hanna             | Settle           |
| Harbin            | Sewell           |
| Hardin            | Shell            |
| Harper            | Simpson          |
| Harrell           | Skaggs           |
| Harris of Archer  | Smith of Hopkins |
| Harris of Dallas  | Smith            |
| Harris of Dickens | of Matagorda     |
| Hartzog           | Smith of Tarrant |
| Herzik            | Stevenson        |
| Holland           | Stinson          |
| Howard            | Stocks           |
| Huddleston        | Talbert          |
| Hull              | Tarwater         |
| Hyder             | Tennant          |
| Jackson           | Tennyson         |
| James             | Thornberry       |
| Johnson of Ellis  | Thornton         |
| Johnson           | Vale             |
| of Tarrant        | Wagoner          |
| Jones of Angelina | Walker           |
| Jones of Falls    | Weldon           |
| Jones of Wise     | Westbrook        |
| Keefe             | Wood             |
| Kelt              | Worley           |
| Kern              |                  |

Nays—2

|          |        |
|----------|--------|
| Hankamer | Kenyon |
|----------|--------|

Absent

|          |                   |
|----------|-------------------|
| Bradford | Jones of Atascosa |
| Dollins  | Loggins           |

Mann  
Mauritz  
McKinney  
Morse  
Newton

Nicholson  
Patterson of Mills  
Ragsdale  
Riddle

Absent—Excused

Bond  
Cagle  
Davis of Haskell  
Dean  
Felty  
Heflin  
Hoskins  
Keith  
McCracken

McKee  
Oliver  
Palmer  
Quinn  
Reader  
Ross  
Sharpe  
Winfree

Mr. Davison of Fisher moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 2 ON SECOND  
READING

Mr. Davison of Fisher moved that all necessary Rules be suspended for the purpose of considering Senate Bill No. 2.

The motion prevailed by the following vote:

Yeas—114

Adkins  
Alexander  
Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Blankenship  
Boethel  
Boyer  
Bradbury  
Bridgers  
Brown  
Burton  
Callan  
Carsow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Colquitt  
Davis of Jasper  
Davison of Fisher  
Deglandon  
Derden  
Dickson  
England  
Farmer  
Fielden  
Fox  
Fuchs

Gibson  
Graves  
Hamilton  
Hanna  
Harbin  
Harper  
Harrell  
Harris of Archer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Herzik  
Holland  
Howard  
Hull  
Hyder  
James  
Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Angelina  
Jones of Falls  
Jones of Wise  
Keefe  
Kelt  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath  
Leonard

Leyendecker  
Little  
London  
Lucas  
Mauritz  
Mays  
McConnell  
McDonald  
McFarland  
Metcalf  
Moffett  
Monkhouse  
Morris  
Newton  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Ragsdale  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Roark  
Russell  
Rutta

Schuenemann  
Sewell  
Settle  
Shell  
Simpson  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Westbrook  
Wood  
Worley

Nays—2

Hankamer

Kenyon

Absent

Bradford  
Broadfoot  
Davisson  
of Eastland  
Dollins  
Hardin  
Huddleston  
Jackson  
Jones of Atascosa

Kern  
Loggins  
Mann  
McKinney  
Morse  
Nicholson  
Patterson of Mills  
Riddle

Absent—Excused

Bond  
Cagle  
Davis of Haskell  
Dean  
Felty  
Heflin  
Hoskins  
Keith  
McCracken

McKee  
Oliver  
Palmer  
Quinn  
Reader  
Ross  
Sharpe  
Winfree

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 2, A bill to be entitled "An Act defining and prohibiting the offenses of 'bookmaking' and of 'pursuing the business of bookmaking'; making it unlawful to permit the use of certain property in connection with bookmaking; prohibiting and regulating the use of certain

methods of communication in connection with or in aid of bookmaking; declaring certain property used in connection with bookmaking to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trial of cases arising under this Act; prescribing penalties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause, and declaring an emergency."

The bill was read second time.

Mr. Gibson offered the following committee amendment to the bill:

Amend Senate Bill Number 2, by striking all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Any person who takes or accepts or places for another a bet or wager of money or anything of value on a horse race, dog race, automobile race, motorcycle race or any other race of any kind whatsoever, football game, baseball game, athletic contest or sports event of whatsoever kind or character or any person who offers to take or accept or place for another any such bet or wager, or any person who as an agent, servant or employee or otherwise, aids or encourages another to take or accept or place for another any such bet or wager shall be guilty of bookmaking and upon conviction be punished by confinement in the State Penitentiary for any term of years not less than one nor more than five or by confinement in the county jail for not less than ten (10) days nor more than one year and by a fine of not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.

Sec. 2. Any person who shall within a period of one (1) year next preceding the filing of the indictment commit as many as three (3) acts which are prohibited under Section 1 of this Act shall be guilty of engaging in the business of bookmaking and upon conviction shall be punished as provided in Section 1 of this Act.

Sec. 3. The term "pursuing the

business of bookmaking" within the meaning of Section 2 shall not be restricted to mean the primary or principal vocation or business of the defendant.

Sec. 4. Using Place for Bookmaking.—Any owner, agent, lessor or lessee of any real or personal property who shall knowingly use or knowingly permit such property to be used in connection with bookmaking, as such term is herein defined, shall be guilty of a felony and upon conviction shall be punished as set forth under Section 1 of this Act.

Sec. 5. Use of Communication Methods in Aid of Bookmaking.—It shall be unlawful for any person or the agent, servant or employee of any person, corporation or association of persons, knowingly to furnish telephone, telegraph, teletype, teleprint, or radio service or equipment, or knowingly to place the same on any property in this State used for the purpose prohibited by this Act or to assist in the violation of any of the provisions of this Act by the furnishing of any telephone, telegraph, teletype, teleprint or radio service or equipment. It shall also be unlawful for any person or association of persons or corporations knowingly to permit any telephone, telegraph, teletype, teleprint, radio or other means of communication whatever to remain on any property used for the purpose prohibited by this Act. Any person or association of persons or any corporation violating any provision of this Section shall be fined not less than One Hundred (\$100.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars. No person or corporation engaged in the business of furnishing telephone, telegraph, teletype, teleprint, radio service or equipment to the public shall be liable in damages when it or they, in good faith, refuse to furnish telephone, telegraph, teletype, teleprint, radio service or equipment, or refuse to continue to do so, believing it to be used or it is used in violation of this Act, or where it or they refuse to furnish or to continue to furnish telephone, telegraph, teletype, teleprint, radio service or equipment after written notice from a grand jury, district attorney, county attorney, sheriff, chief of police, constable, or State ranger served by registered mail upon such person, corporation, or association of persons, that the equipment of service

furnished to a particular person, corporation, or place is being furnished in violation of the provisions of this Act. After such notice has been given to any person or corporation engaged in the business of furnishing telephone, telegraph, teletype, teleprint, radio service or equipment to the public that such service or equipment is being used or is to be used in violation of this Act, the continued furnishing of such service or equipment shall be prima facie evidence of the knowledge of such person, corporation or association of persons that said property or premises are being used in violation of this Act.

Sec. 6. Any room, place, building, structure or property or the furniture, fixtures or paraphernalia of whatsoever kind or character used in connection with the offense of bookmaking or pursuing the business of bookmaking, as defined in this Act are hereby declared to be public nuisances. Whenever the district attorney, criminal district attorney, county attorney or Attorney General has reliable information that such a nuisance exists he shall file a suit in the name of the State in the county where the nuisance is alleged to exist to abate such nuisance. If judgment be in favor of the State, then judgment shall be rendered abating said nuisance and enjoining the defendant or defendants from maintaining the same and ordering the said premises to be closed for one year from date of said judgment, unless the defendants in said suit or the owner, tenant or lessee of said property, make bond payable to the State at the County seat of the county where such nuisance is alleged to exist in the penal sum of not less than One Thousand (\$1,000.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars with good and sufficient sureties to be approved by the judge trying the case conditioned that the acts prohibited in this law shall not be done or permitted to be done in or upon said premises or the terms of the injunction violated. On the violation of any condition of such bond or injunction the whole sum may be recovered as a penalty in the name and for the State, in the County where such conditions are violated, all such suits to be brought by the district attorney, criminal district attorney, county attorney of such county, or the Attorney General of Texas.

Sec. 6a. The use of any house,

property or premises, by any tenant or lessee for any purpose made unlawful by the preceding sections of this Act shall terminate all rights and interests of such tenant or lessee in same, and shall entitle the owner thereof to the immediate possession of said house, property or premises.

Sec. 7. A conviction may be had for the violation of the provisions of Sections 1, 2, and 3, of this Act upon the uncorroborated testimony of any accomplice; provided, further, that any party to a transaction prohibited by this Act may be required to furnish evidence and testify, but after so testifying such person shall be exempt from prosecution with reference to any transaction about which he testified or furnished evidence.

Sec. 8. Upon the trial for any offense under this Act it shall not be necessary that the State allege or prove that any race, game, contest or event was in fact run or did in fact happen or occur.

Sec. 9. The provisions of this Act shall be cumulative of all other existing Articles of the Penal Code upon the same subject and in the event of a conflict between existing Articles and the provisions of this Act then and in that event the provisions, offenses and punishments set forth herein shall prevail over such existing Articles.

Sec. 10. If any clause, provision, requirement, or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not invalidate the remainder of this Act; but shall be confined in its operation to the clause, provision, requirement or part thereof declared invalid.

Sec. 11. The fact that a Special Session of the Forty-fifth Legislature is now in session to consider the provisions set forth hereinabove creates an emergency and an imperative public necessity that the Constitutional Rule providing a bill to be read on three (3) several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall have effect and be in force from and after its passage, and it is so enacted."

Mr. Smith of Hopkins offered the following amendment to the committee amendment:

Amend committee amendment No. 1, to Senate Bill No. 2, by adding a new Section, to read as follows:

"For any and all offenses under the provisions of this Act, two or more persons may be jointly indicted in a single or multiple counts of the same indictment, and at the election of the State be jointly tried; provided that upon any such joint trial the defendants may testify as witnesses for one another."

SMITH of Hopkins,  
DAVISON of Fisher.

The amendment to the amendment was adopted.

Mr. Broadfoot offered the following amendment to the committee amendment:

Amend committee amendment No. 1, to Senate Bill No. 2, by adding immediately after Section 6, and to be a part thereof, the following:

"Provided that any citizen of the County where such nuisance exists, may institute suit in his own name to abate the same, provided, first, that he has given the County Attorney, District Attorney, or Criminal District Attorney, a seven day notice of the existence of said nuisance, and said official has not instituted suit, as provided herein; and provided that the District Court, upon the hearing of said injunction, shall set a reasonable Attorneys' fee, as pay for Attorneys for the said citizen, in any sum not less than \$200.00, nor more than \$500.00, to be charged as costs in the case. And said costs shall be charged against the defendant, when said injunction is made permanent, and shall be a lien against the personal property, belonging to the defendant, located on the premises complained of. Said lien shall attach upon the filing of said injunction suit.

It shall not be necessary for the citizen bringing suit to show that he is personally injured by the acts complained of."

BROADFOOT,  
DAVISON of Fisher.

Mr. Keefe moved to suspend the Rules for the purpose of considering the following amendment to the amendment by Mr. Broadfoot:

Amend the pending Broadfoot amendment, by adding after the word "nuisance" where the same occurs the first time, the following: "Such notice shall be in writing, shall clearly set out the time and manner of the violation and the same shall be de-

livered in the presence of at least one reliable citizen."

KNETSCH,  
PETSCH,  
POWELL.

The motion to suspend the Rule prevailed.

The amendment was adopted.

Mr. Gibson (by unanimous consent) offered the following amendment to the amendment by Mr. Broadfoot:

Amend Broadfoot amendment, by striking out the words "any citizen" in the first line and inserting in lieu thereof the following: "five citizens".

The amendment was adopted.

Mr. Hankamer raised a point of order, on further consideration of the amendment by Mr. Broadfoot, on the ground that the amendment is not germane to the bill.

The Chair overruled the point of order.

Mr. Hankamer raised a point of order, on further consideration of the amendment by Mr. Broadfoot, on the ground that the amendment seeks to change the original purpose of the bill.

The Chair overruled the point of order.

Mr. Hankamer raised a point of order, on further consideration of the amendment by Mr. Broadfoot, on the ground that the amendment contains subject matter not submitted by the Governor.

The Chair overruled the point of order.

Mr. Thornton offered the following substitute for the amendment by Mr. Broadfoot:

Amend Senate Bill No. 2, by adding immediately after Section 6, and to be a part thereof, the following: "Provided that any five citizens of the county where such nuisance exists may institute suit in their own name to abate the same provided, first, that they have given the County Attorney, District Attorney, or Criminal District Attorney a seven day written notice of the existence of said nuisance, and said official has not instituted suit as provided herein.

"It shall not be necessary for the citizens bringing suit to show that they are personally injured by the acts complained of."

THORNTON,  
GIBSON.

Mr. Metcalfe moved a call of the House for the purpose of maintaining

a quorum pending consideration of Senate Bill No. 2, and the call was duly ordered.

On motion of Mr. Metcalfe, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

Mr. Broadfoot moved to table the substitute amendment by Mr. Thornton.

The motion to table was lost.

Question then recurring on the substitute amendment by Mr. Thornton, it was adopted.

Mr. Thornton moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

The amendment, as substituted, was then adopted.

Mr. Keefe offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 2, Sec. 5, by striking out the word "knowingly" throughout the Section.

Mr. Reed of Dallas moved to table the amendment by Mr. Keefe.

Question recurring on the motion to table, it prevailed.

Mr. Hartzog moved the previous question on the pending amendment and passage of Senate Bill No. 2 to third reading, and the main question was ordered.

The committee amendment, as amended, was then adopted.

Senate Bill No. 2 was then passed to third reading.

#### SENATE BILL NO. 2 ON THIRD READING

Mr. Davison of Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

|           |             |
|-----------|-------------|
| Adkins    | Bell        |
| Alexander | Blankenship |
| Alsup     | Boethel     |
| Amos      | Boyer       |
| Baker     | Bradbury    |
| Bates     | Bridgers    |
| Beckworth | Broadfoot   |

|                   |                    |
|-------------------|--------------------|
| Brown             | Leonard            |
| Burton            | Leyendecker        |
| Callan            | Little             |
| Carssow           | London             |
| Cathey            | Lucas              |
| Cauthorn          | Mauritz            |
| Celaya            | Mays               |
| Cleveland         | McConnell          |
| Colquitt          | McDonald           |
| Davis of Jasper   | McFarland          |
| Davison of Fisher | McKee              |
| Davisson          | Metcalfe           |
| of Eastland       | Moffett            |
| Deglandon         | Monkhouse          |
| Derden            | Morris             |
| Dickison          | Newton             |
| England           | Patterson of Mills |
| Farmer            | Patterson          |
| Fox               | of Travis          |
| Fuchs             | Petsch             |
| Gibson            | Pope               |
| Graves            | Powell             |
| Hamilton          | Prescott           |
| Hankamer          | Ragsdale           |
| Hanna             | Reed of Bowie      |
| Harbin            | Reed of Dallas     |
| Hardin            | Rhodes             |
| Harper            | Riddle             |
| Harrell           | Roark              |
| Harris of Archer  | Russell            |
| Harris of Dallas  | Rutta              |
| Harris of Dickens | Schuenemann        |
| Hartzog           | Settle             |
| Herzik            | Sewell             |
| Holland           | Shell              |
| Hoskins           | Simpson            |
| Howard            | Skaggs             |
| Huddleston        | Smith of Hopkins   |
| Hull              | Smith              |
| Hyder             | of Matagorda       |
| Jackson           | Smith of Tarrant   |
| James             | Stinson            |
| Johnson of Ellis  | Stocks             |
| Johnson           | Talbert            |
| of Tarrant        | Tarwater           |
| Jones of Angelina | Tennant            |
| Jones of Falls    | Tennyson           |
| Jones of Wise     | Thornberry         |
| Keefe             | Thornton           |
| Kelt              | Vale               |
| Kern              | Waggoner           |
| King              | Walker             |
| Knetsch           | Weldon             |
| Langdon           | Westbrook          |
| Lankford          | Wood               |
| Lanning           | Worley             |
| Leath             |                    |

Nays—2

Kenyon Loggins

Absent

|          |                   |
|----------|-------------------|
| Bradford | Jones of Atascosa |
| Dollins  | Mann              |

McKinney  
Morse

Nicholson  
Stevenson

Absent—Excused

Bond  
Cagle  
Davis of Haskell  
Dean  
Felty  
Fielden  
Heflin  
Keith

McCracken  
Oliver  
Palmer  
Quinn  
Reader  
Ross  
Sharpe  
Winfree

The Chair then laid Senate Bill No. 2 before the House on third reading and final passage.

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 2, by adding on page 6, after the word "equipped" on line 20, the following:

"Provided that where it is proved that such equipment or service is furnished, this shall be prima facie evidence of knowledge on the part of such corporation, its officers, agents or employees, of the unlawful nature of such purposes for which it was furnished."

Mr. Hartzog moved the previous question on the amendment and final passage of Senate Bill No. 2, and the main question was ordered.

Mr. Gibson raised a point of order, on consideration of the amendment by Mr. Jones of Wise, on the ground that the amendment seeks to amend an existing statute.

The Chair overruled the point of order.

Question recurring on the amendment by Mr. Jones of Wise, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—47

Alsup  
Amos  
Baker  
Bates  
Beckworth  
Bell  
Bradbury  
Brown  
Davis of Jasper  
Deglandon

Fox  
Graves  
Hamilton  
Harbin  
Hardin  
Harper  
Harrell  
Harris of Archer  
Holland  
Huddleston

Jones of Angelina  
Jones of Wise  
Keefe  
Kelt  
Kern  
King  
Langdon  
Lankford  
Lanning  
Leath  
Lucas  
McDonald  
Metcalf  
Monkhouse  
Morris

Newton  
Patterson of Mills  
Patterson  
of Travis  
Powell  
Prescott  
Roark  
Sewell  
Skaggs  
Smith of Hopkins  
Smith  
of Matagorda  
Westbrook  
Worley

Nays—70

Adkins  
Alexander  
Blankenship  
Boethel  
Boyer  
Bridgers  
Broadfoot  
Burton  
Callan  
Carssow  
Cathey  
Cauthorn  
Celaya  
Cleveland  
Davisson  
of Eastland  
Derden  
Dickison  
Farmer  
Fuchs  
Gibson  
Hankamer  
Harris of Dallas  
Harris of Dickens  
Hartzog  
Hoskins  
Howard  
Hull  
Hyder  
Jackson  
Johnson  
of Tarrant  
Jones of Falls  
Kenyon  
Knetsch  
Leonard

Leyendecker  
Little  
Loggins  
Mays  
McConnell  
McFarland  
McKee  
McKinney  
Moffett  
Petsch  
Pope  
Ragsdale  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Russell  
Rutta  
Schuenemann  
Settle  
Shell  
Simpson  
Smith of Tarrant  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Vale  
Waggoner  
Walker  
Weldon  
Wood

Absent

Bradford  
Colquitt  
Davison of Fisher  
Dollins  
England  
Hanna  
Herzik  
James

Johnson of Ellis  
Jones of Atascosa  
London  
Mann  
Mauritz  
Morse  
Nicholson  
Riddle

## Absent—Excused

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Palmer    |
| Dean             | Quinn     |
| Felty            | Reader    |
| Fielden          | Ross      |
| Heflin           | Sharpe    |
| Keith            | Winfree   |

Senate Bill No. 2 was then passed by the following vote:

## Yeas—120

|                   |                    |
|-------------------|--------------------|
| Adkins            | Hull               |
| Alexander         | Hyder              |
| Alsup             | Jackson            |
| Amos              | James              |
| Baker             | Johnson of Ellis   |
| Bates             | Johnson            |
| Beckworth         | of Tarrant         |
| Bell              | Jones of Angelina  |
| Blankenship       | Jones of Falls     |
| Boethel           | Jones of Wise      |
| Boyer             | Keefe              |
| Bradbury          | Kelt               |
| Bridgers          | Kern               |
| Broadfoot         | King               |
| Brown             | Knetsch            |
| Burton            | Langdon            |
| Callan            | Lankford           |
| Carsow            | Lanning            |
| Cathey            | Leath              |
| Cauthorn          | Leonard            |
| Celaya            | Little             |
| Cleveland         | Loggins            |
| Colquitt          | London             |
| Davis of Jasper   | Lucas              |
| Davison of Fisher | Mays               |
| Deglandon         | McConnell          |
| Derden            | McDonald           |
| Dickison          | McFarland          |
| England           | Metcalf            |
| Farmer            | Moffett            |
| Fox               | Monkhouse          |
| Fuchs             | Morris             |
| Gibson            | Newton             |
| Graves            | Patterson of Mills |
| Hamilton          | Patterson          |
| Hankamer          | of Travis          |
| Hanna             | Petsch             |
| Harbin            | Pope               |
| Hardin            | Powell             |
| Harper            | Prescott           |
| Harrell           | Ragsdale           |
| Harris of Archer  | Reed of Bowie      |
| Harris of Dallas  | Reed of Dallas     |
| Harris of Dickens | Rhodes             |
| Hartzog           | Riddle             |
| Holland           | Roark              |
| Hoskins           | Russell            |
| Howard            | Rutta              |
| Huddleston        | Schuenemann        |

|                  |            |
|------------------|------------|
| Settle           | Tarwater   |
| Sewell           | Tennant    |
| Shell            | Tennyson   |
| Simpson          | Thornberry |
| Skaggs           | Thornton   |
| Smith of Hopkins | Vale       |
| Smith            | Waggoner   |
| of Matagorda     | Walker     |
| Smith of Tarrant | Weldon     |
| Stevenson        | Westbrook  |
| Stinson          | Wood       |
| Stocks           | Worley     |
| Talbert          |            |

## Nays—1

Kenyon

## Absent

|                   |           |
|-------------------|-----------|
| Bradford          | Mann      |
| Davisson          | Mauritz   |
| of Eastland       | McKee     |
| Dollins           | McKinney  |
| Herzik            | Morse     |
| Jones of Atascosa | Nicholson |
| Leyendecker       |           |

## Absent—Excused

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Palmer    |
| Dean             | Quinn     |
| Felty            | Reader    |
| Fielden          | Ross      |
| Heflin           | Sharpe    |
| Keith            | Winfree   |

Mr. Davison of Fisher moved to reconsider the vote by which Senate Bill No. 2 was passed, and to table the motion to reconsider.

The motion to table prevailed.

## SENATE BILL NO. 10 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 10, A bill to be entitled "An Act correcting a typographical error in Senate Bill No. 139, Acts of the Forty-fifth Legislature, and declaring an emergency."

The bill was read second time.

Mr. Graves offered the following committee amendment to the bill:

Amend Senate Bill No. 10, by adding a section to be known as Section 1-a as follows:

"Section 1-a. Senate Bill No. 139, Acts of the Forty-fifth Legislature,



as signed by both Conference Committees of the House and Senate and printed in the House Journal on page 3838 thereof and in the Senate Journal on page 2283, the last item in the budget of the Texas College of Arts and Industries, in each Journal reads 'Science Building—\$100,000 for the year 1938, and \$100,000 for the year 1939'; and in the bill filed with the Governor, signed by him, and now filed with the Secretary of State, such item appears as follows: 'Science Building—\$102,500 for the year 1938, and \$102,500 for the year 1939'; and whereas such item in the bill filed and now in the Secretary of State's office is incorrect and is in error, and it was not intended by the bill voted and adopted in the House and Senate as Senate Bill No. 139 to make such amount read \$102,500 for each year, but it was the intention of such bodies to make such item read \$100,000 for each year; and such bill is now corrected to make such item as published in both Journals to read 'Science Building—\$100,000 for 1938 and \$100,000 for 1939'."

The committee amendment was adopted.

Mr. Amos offered the following amendment to the bill:

Amend Senate Bill No. 10, by adding at the end of Section 1 the following:

"Provided further that said Senate Bill No. 139 be corrected by adding in the section of the enrolled bill, as it occurs in the conference report on said bill at page 2255, Senate Journal, for North Texas Agricultural College, Arlington, Texas, Library Building for year ending August 31, 1938, \$30,000.00 (Thirty Thousand Dollars), and there is hereby appropriated to said North Texas Agricultural College, Arlington, Texas, out of any funds in the State Treasury not otherwise appropriated, the sum of Thirty Thousand (\$30,000.00) Dollars for the year ending August 31, 1938."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 10 was then passed to third reading.

# SENATE BILL NO. 10 ON THIRD READING

Mr. Cauthorn moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

|                   |                    |
|-------------------|--------------------|
| Adkins            | Johnson            |
| Alexander         | of Tarrant         |
| Alsup             | Jones of Angelina  |
| Amos              | Jones of Falls     |
| Bates             | Jones of Wise      |
| Beckworth         | Keefe              |
| Bell              | Kelt               |
| Blankenship       | Kenyon             |
| Boethel           | Kern               |
| Boyer             | King               |
| Bradbury          | Knetsch            |
| Brown             | Langdon            |
| Burton            | Lankford           |
| Callan            | Lanning            |
| Carssow           | Leath              |
| Cathey            | Leonard            |
| Cauthorn          | Leyendecker        |
| Celaya            | Little             |
| Cleveland         | London             |
| Colquitt          | Lucas              |
| Davis of Haskell  | Mays               |
| Davis of Jasper   | McConnell          |
| Davison of Fisher | McDonald           |
| Davisson          | McFarland          |
| of Eastland       | McKinney           |
| Deglandon         | Metcalfe           |
| Derden            | Moffett            |
| Dickison          | Monkhouse          |
| England           | Morris             |
| Farmer            | Newton             |
| Fox               | Nicholson          |
| Fuchs             | Patterson of Mills |
| Gibson            | Patterson          |
| Graves            | of Travis          |
| Hamilton          | Powell             |
| Hankamer          | Prescott           |
| Hanna             | Ragsdale           |
| Harbin            | Reed of Bowie      |
| Harper            | Reed of Dallas     |
| Harrell           | Rhodes             |
| Harris of Archer  | Riddle             |
| Harris of Dallas  | Roark              |
| Harris of Dickens | Russell            |
| Hartzog           | Rutta              |
| Herzik            | Schuenemann        |
| Holland           | Settle             |
| Hoskins           | Sewell             |
| Howard            | Shell              |
| Huddleston        | Simpson            |
| Hyder             | Skaggs             |
| Jackson           | Smith of Hopkins   |
| James             | Smith              |
| Johnson of Ellis  | of Matagorda       |

Smith of Tarrant Thornton  
Stinson Vale  
Stocks Waggoner  
Talbert Walker  
Tarwater Weldon  
Tennant Westbrook  
Tennyson Wood  
Thornberry Worley

## Absent

Baker Loggins  
Bradford Mann  
Bridgers Mauritz  
Broadfoot McKee  
Dollins Morse  
Hardin Petsch  
Hull Pope  
Jones of Atascosa Stevenson

## Absent—Excused

Bond Oliver  
Cagle Palmer  
Dean Quinn  
Felty Reader  
Fielden Ross  
Heflin Sharpe  
Keith Winfree  
McCracken

The Chair then laid Senate Bill No. 10 before the House on third reading and final passage.

The bill was read third time.

Mr. Leonard offered the following amendment to the bill:

Amend Senate Bill No. 10, by adding a new section to read as follows:

"Section .... The following amendment to the appropriation for the

State Board of Water Engineers, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made by adding at the end of said appropriation the following:

"There is hereby appropriated to the State Board of Water Engineers, out of any money in the State Treasury not otherwise appropriated, for the fiscal years ending August 31, 1938 and August 31, 1939, the sum of \$3,000.00 each year, or so much thereof as may be necessary to be used as follows: For removal charges and for rent on quarters to be occupied by the State Board of Water Engineers, the sum of \$2,000.00 each year, and for removal charges and for rent on quarters to be occupied by the State Reclamation Department the sum of \$1,000.00 each year. It is specially provided that the State Board of Water Engineers shall select suitable quarters by September 1, 1937, and shall vacate the quarters now occupied by said Board in the State Highway Building on or before the 10th day of September, 1937.

"It is further specially provided that no warrant shall be issued for salary to any member of said Board who fails to comply with this provision."

The amendment was adopted.

Mr. Hull offered the following amendment to the bill:

Amend Senate Bill No. 10, by adding a new Section to read as follows:

## NORTH TEXAS AGRICULTURAL COLLEGE

For the Years Ending  
August 31, August 31,  
1938 1939

## Salaries: (9 months)

## Agriculture:

|  |             |             |
|--|-------------|-------------|
| Professor and head of department.....    | \$ 3,000.00 | \$ 3,000.00 |
| Professor .....                          | 2,400.00    | 2,400.00    |
| Associate professor (one-half time)..... | 1,000.00    | 1,000.00    |

## Biology:

|                                       |          |          |
|---------------------------------------|----------|----------|
| Professor and head of department..... | 3,000.00 | 3,000.00 |
| Professor .....                       | 2,700.00 | 2,700.00 |
| Associate professor .....             | 2,400.00 | 2,400.00 |

## Business Administration:

|                                       |          |          |
|---------------------------------------|----------|----------|
| Professor and head of department..... | 3,000.00 | 3,000.00 |
| Professor .....                       | 2,400.00 | 2,400.00 |

## Chemistry:

|                                       |          |          |
|---------------------------------------|----------|----------|
| Professor and head of department..... | 3,000.00 | 3,000.00 |
| Professor .....                       | 2,500.00 | 2,500.00 |
| Associate professor .....             | 2,200.00 | 2,200.00 |
| Associate professor .....             | 2,200.00 | 2,200.00 |

|  | For the Years Ending |                 |
|--|----------------------|-----------------|
|  | August 31, 1938      | August 31, 1939 |
| Engineering:   |                      |                 |
| Professor and head of department.....  | 3,000.00             | 3,000.00        |
| Professor .....  | 2,500.00             | 2,500.00        |
| Professor .....  | 2,400.00             | 2,400.00        |
| Associate professor .....  | 2,300.00             | 2,300.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Associate professor .....  | 2,000.00             | 2,000.00        |
| English:   |                      |                 |
| Professor and head of department.....  | 3,000.00             | 3,000.00        |
| Professor .....  | 2,400.00             | 2,400.00        |
| Professor .....  | 2,400.00             | 2,400.00        |
| Associate professor and dean of women .....  | 2,400.00             | 2,400.00        |
| Associate professor .....  | 2,100.00             | 2,100.00        |
| Associate professor .....  | 2,000.00             | 2,000.00        |
| Associate professor .....  | 1,800.00             | 1,800.00        |
| Geology:   |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| History, Government and Economics professor,<br>head of department and registrar ..... | 3,000.00             | 3,000.00        |
| Professor .....  | 2,700.00             | 2,700.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Home Economics:  |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| Associate professor .....  | 2,100.00             | 2,100.00        |
| Mathematics:   |                      |                 |
| Professor and head of department.....  | 3,000.00             | 3,000.00        |
| Professor .....  | 2,400.00             | 2,400.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Associate professor .....  | 2,200.00             | 2,200.00        |
| Modern Languages:  |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| Fine Arts:   |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| Professor .....  | 2,700.00             | 2,700.00        |
| Associate professor .....  | 2,100.00             | 2,100.00        |
| Associate professor .....  | 2,000.00             | 2,000.00        |
| Assistant professor .....  | 1,800.00             | 1,800.00        |
| Assistant professor .....  | 1,800.00             | 1,800.00        |
| Physical Education:  |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| Associate professor (for women).....   | 2,200.00             | 2,200.00        |
| Physics:   |                      |                 |
| Professor and head of department.....  | 3,000.00             | 3,000.00        |
| Psychology and Sociology:  |                      |                 |
| Associate dean and head of department.....   | 3,300.00             | 3,300.00        |
| Vocational Education:  |                      |                 |
| Professor and head of department.....  | 2,700.00             | 2,700.00        |
| Summer School .....  | 5,000.00             | 5,000.00        |
| Total Instructional Salaries .....   | \$126,800.00         | \$126,800.00    |
| Administration: (twelve months)  |                      |                 |
| Librarian .....  | \$ 2,400.00          | \$ 2,400.00     |
| Assistant librarian .....  | 1,400.00             | 1,400.00        |
| Dean .....   | 4,500.00             | 4,500.00        |

|  | For the Years Ending |                 |
|--|----------------------|-----------------|
|  | August 31, 1938      | August 31, 1939 |
| Secretary to the Dean.....                         | 1,800.00             | 1,800.00        |
| Business manager .....                             | 2,400.00             | 2,400.00        |
| Assistant business manager .....                   | 2,100.00             | 2,100.00        |
| Secretary to business manager .....                | 1,500.00             | 1,500.00        |
| Commandant (nine months) .....                     | 900.00               | 900.00          |
| Secretary to Commandant .....                      | 1,200.00             | 1,200.00        |
| Secretary to Registrar and Associate Dean.....     | 1,350.00             | 1,350.00        |
| Stenographer (nine months) .....                   | 720.00               | 720.00          |
| Superintendent of buildings and grounds .....      | 2,000.00             | 2,000.00        |
| Engineer and plumber .....                         | 1,440.00             | 1,440.00        |
| Yardman .....                                      | 1,020.00             | 1,020.00        |
| Caretaker of greenhouse .....                      | 480.00               | 480.00          |
| Night firemen (six months) .....                   | 600.00               | 600.00          |
| Carpenter and repairman .....                      | 1,680.00             | 1,680.00        |
| Janitors, none exceeding \$75.00 per month.....    | 2,700.00             | 2,700.00        |
| Night officer .....                                | 900.00               | 900.00          |
| Farm foreman .....                                 | 1,440.00             | 1,440.00        |
| Caretaker of gymnasium and curator of equipment..  | 1,000.00             | 1,000.00        |
| Curator of armory .....                            | 360.00               | 360.00          |
| Poultryman .....                                   | 900.00               | 900.00          |
| Student labor .....                                | 2,000.00             | 2,000.00        |
| Total Administration Salaries (12 months) .....    | \$ 36,790.00         | \$ 36,790.00    |
| Total Salaries and Summer School.....              | \$163,590.00         | \$163,590.00    |
| Departmental Maintenance .....                     | \$ 18,894.00         | \$ 18,894.00    |
| Total Salaries and Maintenance .....               | \$182,484.00         | \$182,484.00    |
| Library Building .....                             | \$ 30,000.00         |                 |
| Grand Total, North Texas Agricultural College..... | \$216,484.00         | \$182,484.00    |

HULL,  
AMOS.

The amendment was adopted.

Mr. Skaggs offered the following amendment to the bill:

"Add a new section to Senate Bill No. 10, by appropriating out of the General Revenue Fund \$50,000.00 not otherwise appropriated for the purpose of eradicating the cotton flea and flea hopper and boll weevil in Red River County."

Mr. McKee moved the previous question on the amendment and final passage of Senate Bill No. 2, and the main question was ordered.

Mr. Derden raised a point of order, on further consideration of the amendment by Mr. Skaggs, on the ground that the amendment contains subject matter not submitted by the Governor.

The Chair sustained the point of order.

Senate Bill No. 10 was then passed by the following vote:

Yeas—105

Alexander

Alsup

|                   |                   |
|-------------------|-------------------|
| Amos              | Gibson            |
| Baker             | Graves            |
| Bates             | Hamilton          |
| Beckworth         | Hankamer          |
| Bell              | Hanna             |
| Blankenship       | Harbin            |
| Boyer             | Hardin            |
| Bradbury          | Harper            |
| Callan            | Harrell           |
| Carssow           | Harris of Archer  |
| Cathey            | Harris of Dallas  |
| Cauthorn          | Harris of Dickens |
| Celaya            | Hartzog           |
| Cleveland         | Herzik            |
| Colquitt          | Holland           |
| Davis of Jasper   | Howard            |
| Davison of Fisher | Huddleston        |
| Davisson          | Hyder             |
| of Eastland       | Jackson           |
| Deglandon         | James             |
| Derden            | Johnson of Ellis  |
| Dickison          | Johnson           |
| England           | of Tarrant        |
| Farmer            | Jones of Angelina |
| Fox               | Jones of Falls    |
| Fuchs             | Jones of Wise     |

|                    |                  |
|--------------------|------------------|
| Keefe              | Rhodes           |
| Kelt               | Riddle           |
| King               | Roark            |
| Langdon            | Rutta            |
| Lankford           | Schuenemann      |
| Lanning            | Settle           |
| Leath              | Sewell           |
| Leonard            | Shell            |
| Leyendecker        | Simpson          |
| Little             | Skaggs           |
| Loggins            | Smith of Hopkins |
| Lucas              | Smith            |
| Mays               | of Matagorda     |
| McConnell          | Smith of Tarrant |
| McDonald           | Stevenson        |
| McFarland          | Stinson          |
| Metcalf            | Stocks           |
| Moffett            | Talbert          |
| Monkhouse          | Tarwater         |
| Morris             | Tennant          |
| Newton             | Tennyson         |
| Patterson of Mills | Thornberry       |
| Patterson          | Thornton         |
| of Travis          | Vale             |
| Pope               | Waggoner         |
| Powell             | Walker           |
| Ragsdale           | Weldon           |
| Reed of Dallas     |                  |

## Nays—12

|         |               |
|---------|---------------|
| Adkins  | Prescott      |
| Boethel | Reed of Bowie |
| Brown   | Russell       |
| Kern    | Westbrook     |
| Knetsch | Wood          |
| London  | Worley        |

## Absent

|                   |           |
|-------------------|-----------|
| Bradford          | Kenyon    |
| Bridgers          | Mann      |
| Broadfoot         | Mauritz   |
| Burton            | McKee     |
| Dollins           | McKinney  |
| Hoskins           | Morse     |
| Hull              | Nicholson |
| Jones of Atascosa | Petsch    |

## Absent—Excused

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Palmer    |
| Dean             | Quinn     |
| Felty            | Reader    |
| Fielden          | Ross      |
| Heflin           | Sharpe    |
| Keith            | Winfree   |

Mr. Cauthorn moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 12 ON SECOND READING

Mr. McKee moved that all necessary Rules be suspended to take up, for consideration, at this time, House Bill No. 12.

The motion prevailed by the following vote:

## Yeas—117

|                   |                    |
|-------------------|--------------------|
| Adkins            | Kelt               |
| Alexander         | Kenyon             |
| Alsup             | Kern               |
| Amos              | King               |
| Bates             | Knetsch            |
| Beckworth         | Langdon            |
| Bell              | Lankford           |
| Blankenship       | Lanning            |
| Boethel           | Leath              |
| Boyer             | Leonard            |
| Bradbury          | Leyendecker        |
| Bridgers          | Little             |
| Brown             | Loggins            |
| Burton            | London             |
| Callan            | Lucas              |
| Carssow           | Mays               |
| Cathey            | McConnell          |
| Cauthorn          | McDonald           |
| Celaya            | McFarland          |
| Cleveland         | McKinney           |
| Colquitt          | McKee              |
| Davis of Jasper   | Metcalf            |
| Davisson          | Moffett            |
| of Eastland       | Monkhouse          |
| Deglandon         | Morris             |
| Derden            | Newton             |
| Dickison          | Patterson of Mills |
| England           | Patterson          |
| Farmer            | of Travis          |
| Fox               | Powell             |
| Fuchs             | Prescott           |
| Gibson            | Ragsdale           |
| Hamilton          | Reed of Bowie      |
| Hanna             | Reed of Dallas     |
| Harbin            | Rhodes             |
| Hardin            | Riddle             |
| Harper            | Roark              |
| Harrell           | Russell            |
| Harris of Archer  | Rutta              |
| Harris of Dallas  | Schuenemann        |
| Harris of Dickens | Settle             |
| Hartzog           | Sewell             |
| Herzik            | Shell              |
| Holland           | Simpson            |
| Hoskins           | Skaggs             |
| Howard            | Smith of Hopkins   |
| Huddleston        | Smith              |
| Hyder             | of Matagorda       |
| James             | Smith of Tarrant   |
| Johnson of Ellis  | Stevenson          |
| Johnson           | Stinson            |
| of Tarrant        | Stocks             |
| Jones of Angelina | Talbert            |
| Jones of Falls    | Tarwater           |
| Jones of Wise     | Tennant            |
| Keefe             | Tennyson           |

|            |           |
|------------|-----------|
| Thornberry | Weldon    |
| Thornton   | Westbrook |
| Vale       | Wood      |
| Waggoner   | Worley    |
| Walker     |           |

**Absent**

|                   |                   |
|-------------------|-------------------|
| Baker             | Jackson           |
| Bradford          | Jones of Atascosa |
| Broadfoot         | Mann              |
| Davison of Fisher | Mauritz           |
| Dollins           | Morse             |
| Graves            | Nicholson         |
| Hankamer          | Petsch            |
| Hull              | Pope              |

**Absent—Excused**

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Palmer    |
| Dean             | Quinn     |
| Felty            | Reader    |
| Fielden          | Ross      |
| Heflin           | Sharpe    |
| Keith            | Winfree   |

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; providing for the disposition of all defective or unfit animals by the Board of Control; providing for apportionment of all funds now on hand and to the credit of the Special Racing Fund which have accumulated since January 1, 1937; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. James moved that further consideration of House Bill No. 12 be postponed until 10:00 o'clock a. m., next Monday, June 21.

Mr. Roark moved to table the motion to postpone.

The motion to table was lost.

Question then recurring on the motion to postpone the bill, it prevailed.

**TO AUTHORIZE THE ENROLLING CLERK TO MAKE CERTAIN CHANGES IN SENATE CONCURRENT RESOLUTION NO. 2**

Mr. Westbrook asked unanimous consent that the House take up for consideration, at this time, the following resolution:

There was no objection offered, and it was so ordered.

H. C. R. No. 25, To authorize the Enrolling Clerk to make certain changes in Senate Concurrent Resolution No. 2.

Whereas, Senate Concurrent Resolution No. 2, relative to an Act of May 23, 1908, (Statute 260); Section 500, Title 16, U. S. C., has passed the House and Senate; and

Whereas, A number of East Texas Counties were listed in said Resolution; and

Whereas, It was the intention of the House and Senate to include Newton and Sabine County in said list; and

Whereas, Through error, Newton and Sabine County was left out of said list of East Texas Counties; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the Senate be instructed to correct Senate Concurrent Resolution No. 2, by inserting Newton and Sabine County in said list of East Texas Counties.

**WESTBROOK.**

The resolution was read second time, and was adopted.

**ADJOURNMENT**

Mr. Morris moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Dickison moved that the House adjourn until 10:00 o'clock a. m., next Monday, June 21.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

**Yeas—49**

|           |                   |
|-----------|-------------------|
| Amos      | Brown             |
| Baker     | Cathey            |
| Beckworth | Colquitt          |
| Bradbury  | Davis of Jasper   |
| Broadfoot | Davison of Fisher |

|                  |                    |
|------------------|--------------------|
| Derden           | Lucas              |
| England          | McConnell          |
| Farmer           | Metcalfe           |
| Fuchs            | Morris             |
| Gibson           | Patterson of Mills |
| Harper           | Powell             |
| Harrell          | Reed of Bowie      |
| Harris of Archer | Reed of Dallas     |
| Herzik           | Roark              |
| Holland          | Russell            |
| Huddleston       | Stinson            |
| Jones of Wise    | Stocks             |
| Keefe            | Tarwater           |
| Kelt             | Tennyson           |
| Kern             | Thornberry         |
| King             | Weldon             |
| Lankford         | Westbrook          |
| Lanning          | Wood               |
| Leath            | Worley             |
| London           |                    |

## Nays—69

|                   |                  |
|-------------------|------------------|
| Adkins            | Leyendecker      |
| Alexander         | Little           |
| Blankenship       | Loggins          |
| Boethel           | Mays             |
| Boyer             | McDonald         |
| Burton            | McFarland        |
| Callan            | McKee            |
| Carssow           | McKinney         |
| Cauthorn          | Moffett          |
| Celaya            | Monkhouse        |
| Cleveland         | Newton           |
| Davisson          | Patterson        |
| of Eastland       | of Travis        |
| Deglandon         | Pope             |
| Dickison          | Prescott         |
| Fox               | Ragsdale         |
| Hamilton          | Rhodes           |
| Hankamer          | Riddle           |
| Hanna             | Rutta            |
| Harbin            | Schuenemann      |
| Hardin            | Settle           |
| Harris of Dallas  | Sewell           |
| Harris of Dickens | Shell            |
| Hartzog           | Simpson          |
| Howard            | Skaggs           |
| Hull              | Smith of Hopkins |
| Hyder             | Smith            |
| Jackson           | of Matagorda     |
| James             | Smith of Tarrant |
| Johnson of Ellis  | Stevenson        |
| Johnson           | Talbert          |
| of Tarrant        | Tennant          |
| Jones of Angelina | Thornton         |
| Jones of Falls    | Vale             |
| Kenyon            | Waggoner         |
| Knetsch           | Walker           |
| Leonard           |                  |

## Present—Not Voting

|      |         |
|------|---------|
| Bell | Langdon |
|------|---------|

## Absent

|       |          |
|-------|----------|
| Alsup | Bradford |
| Bates | Bridgers |

|                   |           |
|-------------------|-----------|
| Dollins           | Mauritz   |
| Graves            | Morse     |
| Hoskins           | Nicholson |
| Jones of Atascosa | Petsch    |
| Mann              |           |

## Absent—Excused

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Palmer    |
| Dean             | Quinn     |
| Felty            | Reader    |
| Fielden          | Ross      |
| Heflin           | Sharpe    |
| Keith            | Winfree   |

## PAIRED

Mr. Bell (present), who would vote "yea", with Mr. Reader (absent), who would vote "nay".

Mr. Langdon (present), who would vote "yea", with Mr. Bond (absent), who would vote "nay".

Question then recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—64

|                   |                  |
|-------------------|------------------|
| Adkins            | Knetsch          |
| Alexander         | Leonard          |
| Blankenship       | Leyendecker      |
| Boethel           | Little           |
| Boyer             | Loggins          |
| Burton            | Mays             |
| Callan            | McDonald         |
| Carssow           | McFarland        |
| Cauthorn          | McKee            |
| Celaya            | Monkhouse        |
| Cleveland         | Newton           |
| Davisson          | Palmer           |
| of Eastland       | Pope             |
| Deglandon         | Prescott         |
| Dickison          | Ragsdale         |
| Fox               | Riddle           |
| Fuchs             | Rutta            |
| Hamilton          | Schuenemann      |
| Hankamer          | Settle           |
| Hanna             | Sewell           |
| Hardin            | Shell            |
| Harper            | Simpson          |
| Harris of Dallas  | Smith            |
| Harris of Dickens | of Matagorda     |
| Hartzog           | Smith of Tarrant |
| Howard            | Stevenson        |
| Hull              | Talbert          |
| Hyder             | Tarwater         |
| Jackson           | Tennant          |
| Johnson           | Thornton         |
| of Tarrant        | Vale             |
| Jones of Angelina | Waggoner         |
| Jones of Falls    | Walker           |
| Kenyon            |                  |

## Nays—53

|                  |                    |
|------------------|--------------------|
| Amos             | Lankford           |
| Baker            | Lanning            |
| Beckworth        | Leath              |
| Bell             | London             |
| Bradbury         | Lucas              |
| Broadfoot        | McConnell          |
| Brown            | Metcalfe           |
| Cathey           | Moffett            |
| Colquitt         | Morris             |
| Davis of Jasper  | Patterson of Mills |
| Derden           | Patterson          |
| England          | of Travis          |
| Farmer           | Powell             |
| Gibson           | Reed of Bowie      |
| Graves           | Reed of Dallas     |
| Harbin           | Rhodes             |
| Harrell          | Roark              |
| Harris of Archer | Russell            |
| Herzik           | Smith of Hopkins   |
| Holland          | Stinson            |
| Huddleston       | Stocks             |
| Johnson of Ellis | Tennyson           |
| Jones of Wise    | Thornberry         |
| Keefe            | Weldon             |
| Kelt             | Westbrook          |
| Kern             | Wood               |
| King             | Worley             |

## Present—Not Voting

Langdon

## Absent

|                   |                   |
|-------------------|-------------------|
| Alsup             | Jones of Atascosa |
| Bates             | Mann              |
| Bradford          | Mauritz           |
| Bridgers          | McKinney          |
| Davison of Fisher | Morse             |
| Dollins           | Nicholson         |
| Hoskins           | Petsch            |
| James             | Skaggs            |

## Absent—Excused

|                  |           |
|------------------|-----------|
| Bond             | McCracken |
| Cagle            | Oliver    |
| Davis of Haskell | Quinn     |
| Dean             | Reader    |
| Felty            | Ross      |
| Fielden          | Sharpe    |
| Heflin           | Winfree   |
| Keith            |           |

## PAIRED

Mr. Langdon (present), who would vote "nay", with Mr. Bond (absent), who would vote "yea".

The House, accordingly, at 6:05 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, June 21.

## APPENDIX

## STANDING COMMITTEE REPORT

The Committee on Criminal Jurisprudence filed a favorable report on House Bill No. 21.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 13, Extending felicitations and instructing the Governor to appoint delegates to the three hundredth anniversary of Swedish colonization in the State of Delaware.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 23, Urging the Congress of the United States to pass Senate Bill No. 602.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 24, Authorizing the loan of certain highway equipment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 17, Authorizing the expenditure of Three Thousand (\$3,000.00) Dollars out of special funds for the purpose of having the Insurance Laws of the State of Texas printed and bound.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.



**In Memory of**  
**Dr. William Tyler Mather**

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Mr. Jones of Wise offered the following resolution:

Whereas, The Members of the House of Representatives have learned with deep regret of the death of Dr. William Tyler Mather, distinguished Professor in the University of Texas; and

Whereas, In the death of Dr. Mather we recognize the loss of a great builder in the State of Texas; and

Whereas, Dr. Mather by his unselfish services to the University of Texas had established himself as one of the great educators of the State and Nation; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we express hereby our deep appreciation and sincere gratitude for the noteworthy service of this noble Texan; and, be it further

Resolved, That we extend to Dr. Mather's family our sincere sympathy and that copies of this resolution be forwarded to the members of the family under the seal of the Chief Clerk and that when the House adjourns today, it do so in memory of the beloved William Tyler Mather.

JONES of Wise,  
THORNBERRY,  
WORLEY.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davison of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree and Wood.

On motion of Mr. Metcalfe, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

## In Memory of Mr. J. W. Wood

---

Mr. Harrell offered the following resolution:

Whereas, On the 15th day of June, 1937, the Divine Providence called from the ranks of the mortals one of our pioneer Statesmen, Mr. J. W. Wood of Paris, Texas; and

Whereas, Mr. Wood was 85 years of age and has resided in Texas most of his life contributing his energies and talents to the good of his State and the progress of its people; and

Whereas, His lovable personality, steadfast character, and gentle manners endowed him to the hearts and souls of all those who were privileged to know him; and

Whereas, He has resided in Paris, Texas, since 1890, joined the Methodist Church more than 50 years ago, and for a long number of years has served as Alderman of his city and has contributed in numerous and various ways to the upbuilding of his community and State; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members thereof regret exceedingly the passing of this great and good man and deeply sympathize with his bereaved loved ones; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send a copy of this resolution to the members of his family and a copy to the newspapers of his city and that a copy be spread upon the House Journal of today in memory of the deceased.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Harris of Dickens, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

## In Memory of **Mr. George Kyle**

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Mr. Hardin offered the following resolution:

Whereas, The Members of the House of Representatives have learned with deep regret of the death of Mr. George Kyle of Jewett, Texas; and

Whereas, Mr. Kyle was a nephew of one of our fellow Members, the Honorable Gaston Palmer; now, therefore, be it

Resolved, That the Members of the Forty-fifth Legislature extend their sympathy in this hour of bereavement; and, be it further

Resolved, That a copy of this resolution be spread on the pages of the House Journal of today, and that the Chief Clerk be instructed to send copies to the members of the family of Mr. Kyle.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Skaggs, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.